REMARKS

ON THE

JUSTIFICATION

OF THE

TENETS OF THE PAPISTS,

LATELY PUBLISHED

By Dr. JAMES BUTLER,

Who, in the Registry of CASHEL, hath assumed and taken the Ecclesiastical Rank and Title of

Roman Catholic Archbishop of Cashel and Emly.

Herein the whole of that Performance is given, and the Remarks are inserted at the Bottom of the Page, whereby all Protestants and all Papists of Property may be enabled to judge of the true Tendency of the Controversy excited by the said Dr. BUTLER, and of

THE DANGER OF THEIR SITUATION;

With a PREFACE, by the Remarker, and an APPENDIX, containing Extracts from several approved Writers of the Church of Rome.

BY A. Y. U. J. D. R. S. & S. A. S. Jean Erskine

Melior est contentio, Pietatis Causa suscepta, quam vitiosa Concordia.

Greg. Nazianz. Orat. 1. *pro pace.*

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M.DCC.LXXXVII.

PREFACE

OF THE REMARKER.

WHEN the ſeveral Performances of Theophilus, the Biſhop of Cloyne, and Mr. Trant were publiſhed, I read them; and tho', perhaps, I did not accede to every poſition, nor approve of every expreſſion, (for, *Nullius in verba* is the Motto of a Proteſtant, as well as of our Royal Society) yet, upon the whole, I thought them ſound and able, ſerviceable and neceſſary works: As the anſwers came out, I read ſome of them, for ſome of them I could not read, and bating the falſhood, fallacy and malevolence of them, they put me in mind of a paſſage in Shakeſpeare,

It is a Tale
Told by an Ideot, full of Noiſe and Fury,
Signifying nothing.

I was ſo ſick of them that I almoſt reſolved to read nothing more on the ſubject; but when a Juſtification of the Tenets of the Roman Catholic Religion, and a Refutation of the Charges brought againſt its Clergy came forth, under the name of Dr. James Butler, a man of amiable character, noble birth, honourable connections, and venerable ſtation; and when I heard ſome whom I deemed competent Judges ſay, that tho' they did not think it did at all perform, what this Title promiſed, yet it was well calculated to make the generality of people, at leaſt the ignorant and inattentive, think ſo, I thought it a duty owing to myſelf and to the adverſaries, to peruſe it; when I had done ſo, I perfectly agreed with my friends in the firſt part of their opinion, but ſcarcely in the ſecond, for very ignorant, very inattentive indeed muſt he be, who can be impoſed on by this work. I mentioned my opinion occaſionally, and pointed out ſome of the errors on which it was founded, but as critical examinations are not adapted to the converſation of Society, I was deſired to make Memorandums in writing as I went along; I did ſo, and as I am not a profeſſed Author, they were ſometimes too ſhort, and ſometimes perhaps too long, juſt as the particular paſſage ſtruck me, and called

up my thoughts and reflections, being intended, merely as an Index or marginal References to attract and fix the attention of others: As I proceeded in my obſervations, my Friends thought the publication of them might be uſeful, and urged me to conſent to it; this I declined and ſhould have continued ſo to do, but every line that I read, every reflection I made, every ſtep I advanced, alarmed me more and more; and tho' formerly I was tolerably verſed in the ſubject, yet I was never ſo awakened to the danger, ſo ſatisfied of the juſtice and neceſſity of the Penal Laws, and ſo convinced of the expediency of continuing to be on our guard as I now became: I loved many Papiſts, I was ſhocked at many injuſtices that have been done from time to time to perſons of that perſuaſion; my acquaintances have ſometimes joked with me as being half a Papiſt, and ſometimes ſeriouſly blamed me for entertaining too favourable an opinion of them, for I wiſhed, and therefore hoped, and almoſt believed, things were not ſo bad as repreſented: *I*, too, *ſlumbered on my watch*, which is highly penal by the articles of war, and as a penance I now impoſe on myſelf the diſagreeable duty (diſagreeable on many accounts) I have here undertaken.

The faireſt Method I thought would be to give Dr. B's Pamphlet at large (N. B. I only uſe his name here and elſewhere for brevity's ſake without meaning to aſſert he is the author of it) that no reader might imagine any paſſage was omitted or repreſented in a falſe light, and to ſubjoin my own Remarks: tho' I have ſometimes referred to a remark on a ſimilar paſſage, yet I have frequently repeated the ſubſtance of it in different places as the text required; for many perſons, will read what is in the page before them, who will not take the trouble to turn to a reference, or who think they may truſt to the remembrance they have of it, tho' that is often too ſlight and inſufficient to make the due impreſſion.

I have added as an appendix ſome extracts from a moſt valuable, tho' little known book, Father Peter Walſh's Hiſtory of the Iriſh Remonſtrance. It's prolixity, (occaſioned in a great meaſure, by the author's being well apprized of the evaſions and ſubtleties of his adverſaries, and conſtantly endeavouring to guard againſt them) has prevented its being as much read as it deſerves, but it is *opus vere aureum, cedroque dignum*, and written by a man of eminent abilities, profound knowledge, conſummate experience, and unſtained character, and to ſum up all, *quoad hoc*, who, notwithſtanding the moſt cruel and undeſerved perſecutions from thoſe of his own Church, and many favours conferred and offered by Proteſtants, continued for very many years, and at laſt died a faithful member and prieſt of the Roman Catholic Church; I have alſo added the theological Judgment of the two famous Univerſities of Caſtile, Salamanca, and Valadolid,

dolid, on occaſion of Tyr-oen's rebellion; and two paſſages relating to *Oaths*, When they may be *diſpenſed* with, and *by whom*, out of an approved book, entitled, *The Pariſh Prieſt's Looking-Glaſs*. *Out of thine own mouth will I judge thee!*

My intention, my wiſh, my prayer is, to make manifeſt the truth, for univerſal benefit, not of Proteſtants only, but of Papiſts alſo; *For why will ye dye O Iſrael!*

I have ſometimes inſerted the referring letters above and ſometimes below the paſſage remarked upon, as I thought tended beſt to point it out.

JAMES

JAMES BUTLER, Duke of Ormond, Lord Lieutenant of Ireland, after the Synod was diſſolved, in June, 1666, in the Preſence of Father RONAN MAGINN, a Roman Doctor of Divinity, Dean and Vicar General of Dromore (a Brother to Father PATRICK MAGINN, the Queen's Chaplain) and Father PETER WALSH, Procurator for all the Clergy of Ireland, *with very great Feeling, laying his Hand on his Breaſt*, made the following Declaration:

As I am a Chriſtian, theſe twenty Years I had to do with thoſe Iriſh Biſhops, I never found any of them either to ſpeak the Truth, or to perform their promiſe to me, only the Biſhop of Clogher excepted; for during the little Time he lived, after his Submiſſion to the Peace, and Commiſſion received from me, I cannot charge *him*.

Here begins Dr. B.'s Pamphlet.

INTRODUCTION.

(a)

THE world has had so many reasons to expect something like the following work, that little, by way of preamble to it, can be expected. The adventitious publication of a private letter, (b) which, on the first view of the Right Reverend the lord bishop of Cloyne's 'present state of the church of Ireland,' I addressed to the right honourable lord Kenmare, (c) (more with an intention of better enabling that nobleman to refute those unjustifiable charges that have been circulated against the tenets of the Roman Catholic religion, than as an actual refutation of them) has, in some degree, pledged me to defend, before the public, what has been exhibited to their view as a system the most unwarrantable and dangerous. Aware of the aukward situation, in which I am thus necessarily involved, often as the egotist, and in many instances, as the panegyrist of a cause, that stands upon a firmer base than panegyric; my present engagement is such an one, as worldly policy would naturally prompt me to decline. But that policy, and all the lesser considerations of selfish interest are absorbed in the wider and more important interests of the community: and the Roman Catholics are now reduced to that situation, in which silence must wear the stamp of treachery not only to their own cause but to that of truth and justice. My readers will therefore, I trust, not impute the open and unreserved manner of my conduct to any weak ambition of appearing the foremost in a literary contest, but consider me

HERE BEGIN THE REMARKS.

(a) My first and general request is, that the reader may not pay any attention to any assertion on either side, but that he may have respect to the proofs and arguments only.

(b) Was it not intended for publication at the time it was written? Was it published without his knowledge or approbation? What accident occasioned the publication?

(c) Could the letter enable lord K. to refute the charges, but only so far forth as it was an actual refutation of them?

me as obliged upon principle to *prove* to the world upon what grounds I think the religion I profess consistent with all the civil duties of a subject and a man—and to *disprove* those harsh, unkind, and unworthy insinuations, and assertions, by which it is depicted in such dangerous colours.

As to the manner in which this is attempted, it may be necessary, from the great nicety and caution, which, in the consideration of some subjects the world affects to use, in applying *old terms* to old *ideas*, to premise a few words in respect of some instances of this kind of liberty that may appear in the following pages. For example: Untruths are called false; and Calumnies bear the character of calumniation *(d)*. If I knew of milder terms, by the adoption of which my ideas might be the better accommodated to the delicacy of modern readers, I should not have recourse to such unseemly epithets *(e)*. But I am assured the learning of those persons, whose opinions I attempt to refute, or whose assertions I am obliged to contradict, would not be much obliged to the charity, that should charge them only with *mistake* or *ignorance* (*f*). And, at all events, *ignorance*, (*g*) whether the facts a man states, particularly when of such magnitude as those I encounter, be *true*, is not much less culpable than the positive *knowledge* that they are *false*.

I have been obliged, too, in the description of a certain class of people, to employ those epithets, and names of description, usually known in the country. Because, otherwise, without devising new names I could by no means describe them, and the inventing of a vocabulary of that sort might breed a distraction in my readers' minds, that would possibly be not very agreeable. The reader will therefore pardon me, if he sometimes hear of such men as *Titular Bishops* and their Clergy, and if I am sometimes obliged also to speak of my own Titular *suffragans*. Were I to take all imaginable pains to dilute and qualify these terms, the ideas raised by them would be exactly the same that they now excite. No man would indeed then be able to say that I assumed even the *name* of

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(d) Hanc Veniam petimusq; damusq; vicissim—and therefore,

J'appelle un Chat, un Chat, et Rolet un Fripon. Boileau.

Anglicè, I call Pussey a cat, and the Author a Papist.

(*e*) We will not suffer Protestants to run on to perdition because we will *Never mention Hell to Ears polite*. Pope.

(*f*) The Bishop of Cloyne pretends not to infallibility, therefore I dare say he will not be offended, if he is charged with mistake, and that he will be much obliged to any who will convince him of it, for thereby he would become wiser and better.

(*g*) Knowledge is not always attainable by man; strong presumptions and firm persuasion, after due diligence adhibited, justify him in asserting that such fact is highly probable; if he asserts that he hath certain knowledge of it he asserts a falsehood: wherever this occurs let the asserter meet due condemnation.

of any pre-eminence.—And I truſt that no man will now ſay, or believe, that I claim any other, by talking in the ſame language, that has been uſed without offence in this country for many years back, than that of ſaying my own prayers, and ſuperintending over the worſhip of my communion, in that degree, in which the laws of the land ſanctify and protect me. (*h*)

There are, beſides, in my correſpondence with the ſacred Congregation, ſome expreſſions, for which it may poſſibly be neceſſary to premiſe a word of apology. And the public will not, I truſt, be religious in judging them, when it is conſidered, that thoſe letters were not then written with the moſt diſtant idea of ever being thus dragged before the world (*i*). To ſpeak in any other language, than I have uſed, under the circumſtances of the times, in which they were written, would be, in ſome inſtances, unintelligible, and in

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(*h*) Proteſtants deny not Popiſh Orders, or that they are Biſhops, nor do they find much fault when they ſay they are Titular Biſhops of certain Dioceſſes: thus Dr. C. regiſtered himſelf Titular Archbiſhop of Dublin, and Dr. Philips, Titular Biſhop of Achonry, and Dr. Lennan with ſtill more modeſty and perhaps more propriety (for the law commands them to regiſter all their Orders, but forbids them to aſſume any pre-eminence) regiſters himſelf *Biſhop officiating in* the Dioceſe of Dromore; thus Dr. Moylan when he took the oath in March 1776, ſtiles himſelf Chief of the Clergy of the Dioceſe of Kerry; But the perſon who when he took the oath in December 1775, ſtiled himſelf only Dr. James Butler reſiding at Thurles, when he regiſters himſelf after 1782, aſſumes the Title of *Roman Catholic Archbiſhop of Caſhel and Emly*. This language has not been uſed either without or with offence in this country for many years back; on the contrary, the Papiſts themſelves do not, at leaſt when a Proteſtant is preſent, addreſs their Biſhops by the ſtile of Lord or Biſhop (though many Proteſtants think they may, and do ſtile them ſo) but call them ſimply Dr. A. or Dr. B. at the ſame time it is well known, and worthy of remark that the Papiſts in general do, or did till this preſent controverſy, ſcrupulouſly refrain from giving the title of Biſhop or Lord to any of the Biſhops of the eſtabliſhed Church of this kingdom; and in this controverſy, it frequently, if not always, ſeems to be beſtowed on them by way of ſneer.

(*i*) We did not, nor could, drag thoſe letters and ſcraps of anſwers before the public, they were voluntarily produced: could our wiſhes be gratified, we ſhould ſee the whole correſpondence from ſome time before the death of the late pretender: but let them produce what they pleaſe and conceal what they think fit, and we will judge as we think reaſonable, both of the production and of the ſuppreſſion,

in others, perhaps, unwarrrantable (*k*). To qualify the terms of them now, would be disingenuous and unjust *(l)*. So that I have preferred, on the whole, the leaving of them, with all their characters, to appear in the world, to entirely suppressing, or, but partially applying them.

(*k*) We shall take no exception at his calling us Heretics in his letters to the Holy See, the Propaganda, or Cardinals; though he might have found other terms, as, *Protestants*, *those of the Church by law established*, *those who dissent from us* (as in the letter to C. Marefuschi *Heretici* is translated *Dissenting Brethren*.) These could not have been *unintelligible*; if they would have been deemed *unwarrantable* at Rome, it may serve, among other things, to shew us what acrimony is still there preserved against us. In France though a Popish country, the terms, *Protestans* and *l'Eglise anglicane* are used, and *Ceux de la Religion pretendue reformée*, is the language of their Edicts.

(*l*) If it is disingenuous and unjust to *qualify* the terms now, the author has been guilty of this disingenuity and injustice, for in his letter to Cardinal Marefuschi he renders *Hæretici*, our Dissenting Brethren; and in the answer of the Sorbonne *Novatori*, that learned Reformer, and *Obtrectatori*, simply, him.

A JUS-

A JUSTIFICATION, &c.

SECTION I.

The Conduct of the whole Catholic Body in Ireland during the late riots, compared with the Charges made on their Religious Tenets.

WHILE those charges, (*m*) that are now revived against the principles and conduct of Roman Catholics, were so closely blended with scholastic controversies, that it was impossible to separate them, and were made the foundation chiefly of theological disputes, it seemed prudent to avoid reviving a contest of polemics, of which the world has been already sufficiently wearied. But the magnitude and complexion of the accusations now brought forward against the Roman Catholic tenets—the deformities of those pictures that are falsely

(*m*) The charges formerly and now made against the Papists were always easily separable from scholastic or theological questions, they are merely political, and are all included in this; Certain tenets are embraced by the Papists, or a very great majority of them, in these kingdoms, which are hostile and dangerous to our present constitution: this appears from councils, bulls, breves, sentences of universities, writings of respected and approved doctors, which were adhered to by a great majority of the English and Irish Papists, and from practices conformable thereto. v. Walsh passim. If they now say, we do not adhere to these, or, they are not articles of faith—Is nothing a rule or guide to practice, or has great influence on it but articles of faith? Do canons of a general council only constitute articles of faith? What authority have other decisions of a general or other council? What the Pope's, bulls, &c. What is the Pope's power, *e cathedra*, or otherwise? can he interpret? What submission is due or paid to his interpretations, even in the Gallican church, which however the Irish do not follow, but the Italian, v. Walsh. What authority or weight have determinations of the congregation de propaganda fide, of Car-

falſely drawn of Roman Catholic conduct—and the high authority and character of the Right Reverend Prelate, whoſe pencil has finiſhed their outlines and colouring, call at laſt for that public and unambiguous refutation, which I had expected not to have been rendered ſo neceſſary a duty. The peculiar ſituation of the Roman Catholics in this kingdom makes it abſolutely indiſpenſable to call, for a few moments, the attention of our fellow citizens to thoſe *proofs*, which I ſhall offer, in oppoſition to *Aſſertions*, (*n*) that if true, muſt juſtly deprive us of all confidence, regard, and protection.

And, indeed, this ſeems no leſs our duty, as a grateful body of people towards the ſovereign and legiſlature, under whom we have derived ſo many and great immunities. To deſerve their confidence has been the firſt wiſh of our hearts: To convince the world that we are not unworthy to enjoy ſo high a bleſſing is the ſecond. And a tacit acquieſcence under thoſe cruel inſinuations, of a dark, well formed, ſyſtematical deſign (*o*) againſt the government that protects us, would be *now* (*p*) but a poor return to that wiſdom, humanity, and juſtice, in which we have found its protection. When miſchief is deduced from obedience, by implication, and treaſon and diſaffection are wreſted; by inference, from loyalty, it is neceſſary to ſhew the world that our allegiance has not been either time-ſerving or diſſembled (*q*). In happier moments—yes, *in happier moments—when advantage could not be taken of men's terrors to make a ſtrong impreſſion on their underſtandings*

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dinal Protectors, of Nuncios expreſsly ſuperintending Ireland? What influence would any of theſe have on the bulk of the people? When did any alteration in their tenets take place, how was it authorized and how manifeſted by them?

(*n*) V. General requeſt at (*a*).

(*o*) The deſign wherewith they are charged by Proteſtants in general, is, to get power of all kinds, and to exerciſe it ſo as to make Popery the eſtabliſhed, if not the only religion; and to wreſt the lands from the preſent Proteſtant owners, and to have a Popiſh King: but it muſt be obſerved that the Biſhop of Cloyne makes no ſuch charge.

(*p*) *Now* in Italics, ſeems to imply that a deſign againſt government would have been proper ſome time ago, and may be ſo by and by.

(*q*) The Popes have *permitted* the Iriſh Papiſts to pay allegiance and taxes to their heretic kings; this appears from the decrees of Salamanca, and Valadolid in the appendix, in which it is determined on a conſultation ſent from Ireland, that it was lawful to aſſiſt Tyrone by fighting and ſupplies againſt Queen Elizabeth; and that it was ſinful to fight for her againſt him, or to grant any ſupplies of proviſion further than the uſual tributes which, by the *Pope's indulgence and permiſſion*, they are allowed to pay to her, or her tax-gatherers. v. App.

Bellarmine ſays, they are not *obliged* to war againſt heretics *when they are the ſtrongeſt*

ſtandings—perhaps this meaſure might not be quite ſo unavoidable. But the moment, that has been embraced to cloath us again in all the hateful appearances of gloomy perſecution, deep treachery, and ſettled principles of rebellion, was as favourable as our moſt inveterate enemies could have wiſhed for, (*r*) to catch the vulgar, and ſubdue the weak. It was an inſtant for the worſt inſinuations to be thrown out and ſwallowed. A great part of the kingdom was involved in all the calamities of inſurrection. The inſurgents were moſtly Roman Catholics—and nothing was to be done but to couple Capt. RIGHT with *Titus Oates*, (*s*) and revive all the old legendary tales of Popiſh plots and Popiſh miſſionaries. (*t*) It had, on all *proper occaſions*, been taught, that the principles of revolt was peculiar to the Roman Catholics. (*u*) The ſoft moments of infancy had been ſtamped with the impreſſion, and books of inſtruction for children were diſperſed in multitudes, and at a ſmall price, to fill their minds betimes with a *proper idea* of all the horrors of *blood thirſty Popery*, that, as they grew up, they might conſtantly view all the conduct of the Roman Catholics through this medium. (*w*) For fifteen months was this impreſſion gathering ſtrength from the continuance of the ſouthern diſturbances,

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(*r*) Who are thoſe inveterate enemies here pointed out with ſuch peculiar acrimony and virulence? The Proteſtants in general? I atteſt Dr. B's Letter to Marefuſchi, and Father W[illegible]ſh's demonſtrative Arguments to prove the contrary: Or the Biſhop of Cloyne? Vide Æſop's Fables, the Snake and the Countryman; and Gay's Fables, the Gardiner and the Hog.

Ah fooliſh ſwain! too late you find
That ſtyes were for ſuch friends deſign'd.

(*s*) Who has coupled Captain Right and Titus Oates? Titus Oates had been a Papiſt, and was an infamous, perjured accuſer and witneſs, whoſe name and memory are held in as much deteſtation by Proteſtants, as by Papiſts. Is Captain Right an accuſer or a witneſs againſt any man?—The only tendency of this nonſenſe muſt be to inſinuate, with buffoonery, that the accuſations againſt Captain Right and the White Boys, are as falſe as many of the accuſations of Titus Oates, were againſt many of the unfortunate men who then ſuffered. Theſe artifices tend not to conciliate, nor will they convince Proteſtants that you deſerve their confidence.

(*t*) Does the author mean that all old legendary tales are true, or that there were never any Popiſh plots carried on, or Popiſh miſſionaries employed?

(*u*) Who teaches that a principle of revolt is *peculiar* to Roman Catholics.

(*w*) I ſuppoſe the Charter School children are taught the Church Catechiſm, which we look on as a pretty good compendium of chriſtian and moral duty. The additional inſtructions relative to Popery, were proper and indiſpenſable from the nature of the inſtitution, to breed up the children of Popiſh parents in the Proteſtant religion—

ances, and, at fifteen months end, an insurrection, propagated and promoted chiefly *(x)* against the persons, and contrary to all the influence of the Roman Catholic Clergy, was adduced to prove the operation of these principles. All the force of faith was called forward to gain credit for the paradox, that men voluntarily offered themselves martyrs for the subversion of their religion: Since no man could doubt, that the continuance of those disturbances must have ended in something very like the total extinction of the Roman Catholic religion in Ireland *(y)*—and many of the ringleaders were said to have wished it.

I confess, however, that after the decided and exemplary conduct of the Roman Catholic Clergy (z) throughout this long period of riot and

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Must they not be instructed why they are desired to quit the religion of their parents? If they are taught any thing false, it would be highly criminal, but that remains to be proved.

(*x*) Against whom the insurrection was *chiefly* promoted appears from this: The Clergy of the established church have been deprived in general of above one-half of their usual income throughout the province of Munster for the year 1786, and have not been able to collect what remained due to them for former years. And Dr. B. knows, *and from good authority*, that, in the beginning at least, the Popish Clergy were some way or other indemnified for what was taken from them in their fees. And it is well known, that the Popish Clergy in general have been for some time past better and more expensively cloathed, than they were before in the memory of any man alive; we grudge it them not; but increase of expence does not indicate a diminution of income in grave and prudent men. As for their influence, and the exertion of it, it is considered below.

(y) Those ringleaders of the Insurrection who were said to have wished the total extinction of the Roman Catholic Religion could not, *ex Vi termini*, be Roman Catholics; they were therefore *professed* protestants at least: I believe there were *some such* indeed who were ringleaders; but whether they had such wishes or not, may be doubted from the intimate connection said to have been between them, and one if not more good Priests; unless those Reverend Gentlemen trusted they were an overmatch for their Protestant allies, and that they could first use them as cats paws, and then blow them up with their own mine, which has also been said, and *may* be true. Whatever they were Dr. B. and his Clergy ought to have informed government of all they knew concerning them; for the seal of confession extends not to the concealment of crimes, affecting the safety of the state, which discovery may tend to suppress, and concealment to support.

(z) Some of the priests behaved well; but that the conduct of the body through the long period of riot and disorder, was decided and exemplary, is an assertion that remains to be proved. What did they and when?

and diſorder; a conduct ſo conſiſtent with all their former loyalty, (*a* 2) I ſcarcely expected ſuch an attack as has been made upon the *Tenets of their religion*. When the evil genius of our country had 'cried havock and let ſlip the dogs of war,' while the whole South of Ireland was traverſed by a tumultuous banditti, that the Roman Catholic Clergy took all poſſible means in their power to quell, (*b* 2) a Southern Prelate ſlumbered on his watch; (*c* 2) and when time enough had elapſed for an active or well concerted force to do all the miſchiefs it could purpoſe, he awoke with all the haſty apprehenſions of dreaming terror to *ſound the alarm*, and call one part of a nation to arms againſt another.

No one can be more ſenſible than myſelf of the delicacy, with which I ſhould hazard any opinion that might convey ſuch an idea of ſo eminent (*d* 2) and high a character, as a dignitary (*e* 2) of the eſtabliſhed church. And no one could be more cautious in running any hazard, that a miſapprehenſion in ſo delicate a caſe might expoſe me to. Combined with theſe principles of duty and of inclination, his Lordſhip of Cloyne's *private aſſurances* might have ſufficiently ſatisfied my own *private feelings*, when, in anſwer to an expoſtulatory letter, I wrote him on the unjuſt and uncharitable charges his Lordſhip appeared to me to make againſt the whole body of the Roman Catholics, he was pleaſed to aſſure me by two different letters in the moſt earneſt manner, "that nothing was further from his intention than to "reflect in the leaſt on their ſincerity, and that he was convinced "from the cloſeſt reviſal he had made of that part of his pamphlet "alluded to in my letter, that no one expreſſion of his could be con-"ſtrued even by remote implication to bear ſuch a meaning." So cordial a declaration from his Lordſhip, could not but be very ſatisfactory to my own *private feelings*; and the facts upon which ſuch a diſpoſition *ought* to have proceeded in tracing *Meaſures* and diſcovering *Tenets* will, I truſt, be ſufficient to defend *their ſincerity* and *their principles* before the world at large. (*f* 2)

We

(*a* 2) *Former loyalty!* Why my dear, do you mean to make game of yourſelf? ſays honeſt Teague in the Committee to Mrs. Day, when ſhe ſwore by her honour, or talked about kitchen ſtuff. *They have own'd they were Jacobites.*

(*b* 2) Vide infra.

(*c* 2) The Biſhop of Cloyne did not ſlumber. Whether his terror is dreaming or real, is the queſtion. How does he call one part of a nation to arms againſt another? Has he deſired any laws to be enacted or repealed? Has he deſired any thing to be done againſt law? Has he even inſiſted on the execution of *ſome* laws which *many* ſtill think not only ſalutary but *neceſſary*?

(*d* 2) Had he been properly ſenſible he would have been more cautious than to hazard ſo falſe an idea.

(*e* 2) The term *Dignitary* is ſeldom if ever applied to a Biſhop.

(*f* 2) As to this v. Dr. Hales, p. viii. I can ſee nothing in all this

We had heard the trumpet of perſecution (*g* 2) againſt bloody, falſe-hearted, fiery papiſts blow its laſt. The ſteadineſs and ſincerity of our allegiance had obtained us other epithets. (*h* 2) The ſtorms and clouds of an inauſpicious century had been diſperſed by the mild ſunſhine of peace, and the harmleſs Catholic repoſed under his vine and fig tree, ſafe and unenvied. (*i* 2) We had done much. (*k* 2) The penal laws, thoſe diſcriminating marks of opprobium, by which we were ſeparated from the reſt of mankind, had been partly relaxed. (*l* 2) The Roman Catholics were permitted to purchaſe land in fee, and the proſpect was opening to us, of higher rewards for our loyalty. Hope reſted on her anchor: and expectation ſat in ſilence, until the Almighty might ſee fit, in his own good time, to let us enjoy them. (*m* 2)

I had

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verbiage but a malevolent, ill-conducted, and falſe inſinuation that the Biſhop of Cloyne did not behave right.

(*g* 2) Every line, every word teems with falſe, irreverend and ſeditious inſinuations againſt the Proteſtants, inſomuch that I am tired of making particular remarks on them.

(*h* 2) Mrs. Day and honeſt Teague again—From whom? From the Monks of the Screw after a convivial meeting,—from ſome of thoſe *qui Iras & Verba locant*. Never from the Legiſlature, or from the ſober thinking Proteſtant. From the reſtoration there has been no inſurrection (I do not impute to them as a guilt, their fighting for King James or againſt King William) and they have *profeſſed* allegiance before the year 1745, as ſince; yet what the opinion of the public was during theſe eighty-five years, appears not only from the laws enacted, but the preambles to them, the numerous reſolutions of both Houſes, the ſpeeches of the Lord Lieutenants, *including Lord Cheſterfield*; and after this, from the Duke of Bedford and Privy Council's coming to a ſolemn reſolution in 1758, that it was improper to grant licenſe to any Papiſt to have arms; in conſequence of which not a ſingle licenſe was granted for eight years, from 1758 to 1766; and the utmoſt ever granted was one ſword, one gun, and a brace of piſtols.

(*i* 2) What ſtorms or clouds have there been during this century, unleſs precautions neceſſary for public ſafety are to be ſo denominated? When was the harmleſs Papiſt moleſted under his vine and his fig tree? If they are now or have lately been *objects of envy*, I am glad of it. They have been generally repreſented as objects of pity, and that to a greater degree than is warranted by obſervation, compariſon, and truth.

(*k* 2) What? vide infra.

(*l* 2) They have ſo. God grant we may not have cauſe to repent our premature and unſuſpecting benignity!

(*m* 2) Thoſe higher rewards *whereof the proſpect was opening to them*, which they hoped for, which they *expected*, and which it is ſaid *they have demanded, and declared they will not reſt ſatisfied without*, ARE TO HAVE ARMS, TO POSSESS PLACES OF PROFIT AND

I had wiſhed that the ſcandal, which, in the minds of the weak and haſty part of the world, had been brought on the Proteſtant Church, by thoſe falſe and futile accuſations, to which many of her members had deſcended, to render the Roman Catholic Religion, deteſtable and ridiculous, might not now be revived, and that the world ſhould no

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TRUST, TO ELECT MEMBERS OF PARLIAMENT, AND TO SIT IN PARLIAMENT. Would they not then be ſoon the ſtrongeſt every where, even in the Legiſlative body? *Muſt* they not, as honeſt men and ſincere Catholics, deſire that *their religion, the true religion*, ſhould be the *eſtabliſhed* religion? Would it not even be perfectly conſiſtent with their oath of allegiance, to procure this by act of Parliament? Would they not as men, without great imputation (or perhaps any) on their honeſty, wiſh for, and think they had a right to ſome part of, or to all the lands, their anceſtors had forfeited? Would a problematical point of honeſty, over-rule ſuch a weighty point of intereſt, granting Papiſts to be like other men, and it will hardly be expected that we ſhould conſider them and truſt to, and rely on them as better? It is ſaid by ſome of their writers, that nineteen parts in twenty of the lands in this kingdom are held under forfeitures: *are the Lords and Gentlemen in poſſeſſion of thoſe lands willing to relinquiſh them, or any part of them*, or to put it to ſuch a hazard as would hence ariſe? Some men would think ſuch an ample reſtitution! Such a mark *d'une conſcience timorée!* a dangerous prognoſtic of their approaching and ſpeedy diſſolution.

Popery having become the eſtabliſhed religion, would they not ſhew, by our own arguments, and by the preambles of our ſtatutes, as 1ſt Wm. & M. c. 1. the danger, the inconſiſtency, the abſurdity of a Proteſtant's being King of a Roman Catholic kingdom? a danger greatly heightened by the ſame Proteſtant's being king of a more powerful adjoining Proteſtant kingdom. *Muſt not a ſeparation of the crowns hence enſue?* or a war and conqueſt of the one kingdom by the other, and the religion of the conqueror's being made the eſtabliſhed religion of the conquered? In ſuch ſituations if they were again invited by every temptation of foreign aſſiſtance, as the author avows they have very lately been, (N. B. *The public at leaſt* had no ſuch good proof of this till now, whatever has been ſuſpected) would they again reject them? conſidering the opinions and diſpoſitions of the people of Great Britain, it ſeems hardly poſſible that Popery ſhould be the eſtabliſhed religion in Ireland, and Proteſtantiſm in Great Britain under the ſame ſovereign: Let us recollect the fatal uſe that was made of the cry againſt Popery in Ireland, in the beginning of the Long Parliament. It was one of the principal engines whereby the good, the learned, the well meaning but irreſolute, the unfortunate King Charles I. was firſt deprived of his power, and in conſequence, of his crown and of his life! !——— ——not to mention what lord North lately aſſerted in the Britiſh Parliament, that it would be a direct infringement of the articles of the union between England

no longer have to ſay, that preference attributed to one chriſtian ſect, aroſe from its falſifications of another. (*n* 2)

I had hoped, that the liberal toleration indulged in this and the ſiſter country, would exhibit to the Roman Catholic States of Europe, an example, that might confirm to their Proteſtant ſubjects the advantages, that ſect chiefly *ſeeks* and affect to rely on—an exemption from *temporal* incapacities for conſcience ſake, or *puniſhment* for a difference of thought in matters of religion. (*o* 2)

The modern conduct of the legiſlature juſtified my expectation, and I rejoiced that the means, uſed for checking the growth of Popery in theſe countries, would no longer be a pretext for meaſures, rigorous and coercive beyond the meaſure of chriſtianity, to check the progreſs of the *Reformation* in the Roman Catholic nations of Europe. (*p* 2) The unfortunate diſtinctions, that had diſtracted this country, were dying away, and the forced connection between the invidious terms, of Papiſt, Slave, and Jacobite, was diſſolved into a diſcrimination between *temporal fealty* and *ſpiritual obedience*. Our nonconformity with the eſtabliſhed church involved neither treaſon, conſpiracy, nor rebellion; no ſtate convulſion was apprehended from it, and our prince ſat on his throne, confident in the ſecurity of the affection of millions among his ſubjects, who differed, in their faith, from the religion of his government. Our principles, it is true, had been reviled with obloquy, that our practices refuted: our *doctrines* had been charged with abominations that our *tenets* diſavowed. And we eſteemed it our duty to permit our tenets and our practices to ſpeak for themſelves, until they ſhould convince the Legiſlature how far we might be entitled to ſhare thoſe indulgences, permitted

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and Scotland. Think Proteſtants, think ſober, and peaceable and *wealthy* Papiſts, of all the poſſible and probable conſequences of what here is only ſketch'd out, *and tremble!*

(*n* 2) Conſult Walſh, to ſay nothing of the cloud of Proteſtant writers, whether the accuſations are falſe or futile. We claim no preference but what our adherence to the Bible juſtly gives us, to thoſe who depart from, or add to, or corrupt it.

(*o* 2) What the Author means by Proteſtants chiefly ſeeking, and affecting to rely on an exemption from temporal incapacities and puniſhment, is not clear. If he means that Proteſtants *chiefly* ſeek for worldly advantages, it is an unfounded calumny: if he means they rely on them for the proof of their doctrines, it is abſurd, for it is not applicable to the ſubject; wordly advantages can be no proof of the truth of any doctrine; if he means they deſire them, they do ſo, as all men do and muſt; but then it is ill and fallaciouſly expreſſed.

(*p* 2) Were our penal laws ever urged as a pretext for the inquiſition, the revocation of the edict of Nantes, or other laws againſt Proteſtants in Roman Catholic Countries? Many exiſted before our penal laws, and the inquiſition before Henry VIII. beſides, the laws are diſſimilar. But here we muſt expreſs our gratitude to

permitted to other non-conformists (q 2). Grateful for the advantages that we already enjoyed, we repined not that the full measure of liberty had not yet been dispensed to all the members of society. We beheld, with deference and respect, that the Legislature, in its wisdom, thought it necessary to unite a system of religion with a system of politics. Open and decided in our own conduct; equally decided and open in the doctrines we inculcated; it was but a natural expectation, that time would at length prove the indisputable sincerity of our attachment and loyalty, to the person and family of our Prince, and to the principles of the constitution. That our intentions might be sought in the conduct we should pursue, and the tenets we hold in the doctrines we should teach, was all that we wished. We preached loyalty, and we practised it (r 2). When every sinew of the disabled and distracted frame of the British Empire was enfeebled by a long struggle for the sovereignty of America—when the minister of England was obliged to desire his Majesty's Irish subjects *to defend themselves*—when in consequence of this direction, we saw a self-appointed army of ninety thousand citizens, (s 2) of whom two thirds

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the author for his kind concern lest the progress of the reformation should be checked in the Roman Catholic nations of Europe. I am very well aware of his subterfuge, I would not have it checked, would he say, *by such measures*, as if you should ask a man, Did you never make buttons? and he was to answer, No, with the mental reservation, I never made buttons with my breech. But the plain import of this passage at first sight is, to impress the reader with an idea that the writer wished well to the progress of the reformed religion, and it is here inserted with that intent, and to induce the Protestant who does not advert to the inconsistency of it, to admire the liberal sentiments of Papists. I am the more confirmed in this, for that having shewn the passage to a very good judge of the import of words, he was struck that it could not be written by a Papist, and turned to the title page to see whether it was Dr. B's pamphlet or not. It is here mentioned only to put Protestants on their guard against such subtleties.

(q 2) A continual Petitio principii. When did they disavow the tenets imputed to them, in a manner sufficiently express, and guarding against all equivocation? They refused the oath of supremacy tho' Gardiner and Bonner, Roman Catholic bishops, wrote expressly to prove they might with a safe conscience take it; the allegiance and all other oaths down to 1775; the Formulary proposed in 1661, subscribed by seventy of their clergy, one a bishop; and one hundred and sixty-four laity, twenty-one of whom were peers, but rejected by the rest, and evasive and insufficient assurances substituted in place of it, as Walsh demonstrates: It was condemned by the nuncios De Vecchii and Rospigliosi, by Cardinal Barberini, by the University of Louvain, &c.

(r 2) All mere assertions, and liable to the former questions.

(s 2) Ninety thousand volunteers! certainly not so many.

thirds were Roman Catholics (*t* 2)—when we were invited by every temptation of foreign assistance(*u* 2)—When all those circumstances conspired to shake our allegiance; the conduct of the Roman Catholics in Ireland was marked by an exemplary obedience to, or an active support of, the very laws, whose rigour we complained of. The conduct of *all* his Majesty's Catholic subjects was the same; for their principles were uniform. "When," said Mr. Burke, in his address to the freemen of Bristol—"When the English nation "seemed to be dangerously, if not irrecoverably divided; when one, "and that the most growing branch, was torn from the parent stock, "and engrafted on the power of France, a great terror fell upon "this kingdom—on a sudden we awakened from our dreams of con-"quest, and saw ourselves threatened with an immediate invasion; "which we were at that time very ill prepared to resist; you re-"member the cloud, that gloomed over us all. In that hour of our "dismay, from the bottom of the hiding places, into which the in-"discriminate rigour of our statutes had driven them, came out the "body of the Roman Catholics. They appeared before the steps of "a tottering throne, with one of the most sober, measured, steady, "and dutiful addresses, that were ever presented to the crown. It "was no holiday ceremony; no anniversary compliment of parade "and shew. It was signed by almost every gentleman of that per-"suasion, of note or property, in England. At such a crisis, no-"thing but a decided resolution to stand or fall with their country "could have dictated such an address, the direct tendency of which "was

(*t* 2) Two thirds of them Roman Catholics! probabably not so many, for the volunteers were most numerous in the North, where there are fewest Roman Catholics, and where so many of them were not admitted amongst them, as in some other parts, but this is sufficient to shew that there were many Roman Catholics among them, and armed contrary to law, nor could the English nor Irish ministers, desiring the Irish subjects to defend themselves, authorise Papists to bear arms. And it ought to be remembered, that the number of Papists among the volunteers, (some entire bodies were composed of them,) the greater number that might arm and array themselves under that sanction, and the dangers apparent therefrom, was one of the principle causes of the decline of that institution which had been of so much use in some respects, and which, under certain regulations, might have been of much more, and of much longer duration.

(*u* 2) Invited! to what? to rebel? We *suspected* this, but did not *know* it till now. Did they disclose this to government, as by their oaths in 1775, (to which some of these must have been subsequent) and by their previous duty they were obliged to do? As such negociations are here avowed to have been at that period of time, (tho' unknown to us); does it not imply that such *may* have been in former times, or since, or *even at present*, tho' equally unknown to us now? But they did not accept them, because they did not think themselves strong enough, and according to Bellarmine's decision, *Fortiores fuimus.*

" was to cut off all retreat, and to render them peculiarly obnoxious " to an invader of their own communion(*w* 2)."

This is the language, in which the Roman Catholics of England were ſpoken of by Mr. Burke, who, to this day, has preſerved the character of a very good whig upon revolution principles.

This conduct was, however, our duty—and it would ill become us, now, to boaſt the diſcharge of it, if thoſe unhappy means that the extended liberality of the preſent day ſeemed calculated to remove, had not been unneceſſarily recurred to, to prove us by principle, and in our conduct, unworthy the protection of the laws, and the confidence of our fellow ſubjects.

The Roman Catholics were found to be not leſs obedient to their parents, leſs affectionate to their children, leſs mindful of their relations, or leſs expanded in the exerciſe of univerſal charity than other chriſtians. The diſcharge of their Duties was ſo uniform, from the narroweſt to the moſt diſtant circles of human relation, and they ſeemed to exerciſe the feelings of nature, compaſſion, gratitude and friendſhip, ſo ſincerely and unaffectedly, that one could ſcarcely avoid hoping they ſhould ſoon be freed from thoſe marks of malignancy, diſaffection, blood thirſtineſs, and treachery, by the imputation of which they had been ſo anxiouſly diſtinguiſhed from the reſt of their ſpecies. We expected that the dreadful dreſs in which, like the ancient chriſtians under Nero, when wrapped in the ſkins of beaſts, they were thrown into the amphitheatre to lyons and tygers, we had been clothed, to juſtify the world in running us down like the monſters, whoſe appearances we were forced to wear, would no longer be forced upon us; and we could not have apprehended that ſuch means would have been practiſed to juſtify accuſations, that the uniform tenor of our moral and civil conduct had ſo amply refuted(*x* 2).

Theſe hopes and aſſurances were however too ſanguine, and more recent experience convinced the world, that an age of rectitude was not

(*w* 2) This addreſs of Mr. Burke's is not calculated to remove the ſuſpicion many in England have entertained and expreſſed of the ſincerity of his Proteſtantiſm, no more indeed than his letter to lord Kenmare, which is quoted with ſuch exultation by Curry's continuator. The paragraph here inſerted is a moſt inſidious and inſolent declamation. Is the loſs of part of North America a diviſion of the Engliſh nation conſiſting of the kingdoms of Great-Britain and Ireland? Had the body of Roman Catholics been driven to, or did they conceal themſelves in the bottom of hiding places? *Did the king's throne totter?* The Papiſts addreſs in England made no ſuch ſenſation as is here deſcribed; it was conſidered as a prudent ſtep in them to conciliate government to them, but was not thought any great acquiſition of ſtrength, for their numbers in England and Scotland are wholly inconſiderable. The whole is a rhetorical exaggeration, and the inference far from certain.

(*x*) Rhetorical froth, and irrelative to the queſtion, but therefore to be looked on with a watchful eye, as tending only to dazzle.

not sufficient to eradicate those unjust and unfortunate impressions, that it might be *advantageous* (y 2) to renew. An insurrection had broken out in the South of Ireland: the insurgents were in general professedly Roman Catholics, as they must have been, if of any religion at all, as, from the prevalence of the Roman Catholic Religion in that part of Ireland, the few of other persuasions in the rank of insurgents could scarcely dignify their riots with the name of insurrection. It was sufficient—And the advantage was taken with the same avidity, and the same justice, by which a *certain class* of friends to the constitution in Church and State have been distinguished, to charge on the Roman Catholic Religion, principles subversive of all government, and destructive of all social intercourse. (y 2)

What *were* the actual causes of the late troubles, I hoped it might not be my province to enquire. And I should most gladly have left the consideration entirely to the investigation of those high persons whose information will certainly be better, and whose wisdom will doubtless apply to the evil its proper remedy. Whether they had originally taken their rise from general wretchedness, (z 2) or from the

(y 2) What advantages *can* arise, but that of safety? The *certain class* must mean the established Clergy; the manner in which they are pointed out here *and passim* displays great malignity. What advantage, once more, can they gain, but safety? The tenets of the *Papalins* (as Walsh calls them and to which tenets he asserts the majority of the English and Irish Papists adhere) have always been charged to be subversive of all government but their own, the Pope's, and destructive of all social rights and duties; and it remains to be disproved. Why then do Roman Catholic Kings suffer this? In many places they endeavour to check it in some degree; and a remainder of ignorance and superstition, fear of the Pope's body guards, the use that might be made of disobedience to the holy See, in spiriting up foreign enemies (as Spain against France) or domestic commotions, and the dread of assassination as is exemplified in the case of Henry the Great, to name no more, make them think it better to keep some sort of terms with Rome, than to make a hopeless and inveterate enemy. Their real sentiments in France may appear from a common saying, *Que le Pape est un vieux Idole dont il faut baiser les pieds & lier les mains.*

(z 2) The labouring poor of Ireland are in a better condition now than they have been at any former period during these two centuries at least; the dirt and smoak of their cabbins, tho' most striking to others, are not evils which they feel, or of which they complain: They have wholesome food (in general) in plenty, and good warm clothing as fully as the English; this Arthur Young *passim* asserts. But supposing their condition not quite so good as that of the English, that of the poor in almost all the other countries in Europe is known to be much worse than the English, and is it to be adduced as a reason for insurrections, &c. that they are not quite so well as the best in Europe? But may their condition improve from day to day! as any

the pretended rigour of the eſtabliſhed clergy, or from the ſtrictneſs of landlords, I ſhall not even wiſh to inſinuate: And under any other circumſtances than the preſent, it might perhaps be not very conſiſtent with a mere defence of my religion to involve political inveſtigations with the cauſe of plain truth. But recent occurrences have made it indiſpenſibly requiſite to deviate from my original deſign, and not only to *prove* beyond any poſſibility of doubt that they *did not* originate in any principles of the Roman Catholic Religion, or any conduct of it's Paſtors, but that they were in their progreſs equally directed againſt the clergy of the Romiſh communion, and the divines of the eſtabliſhed church *(a* 3).

Beyond doubt, however, it may, in this age, of univerſal pyrrhoniſm, be difficult to prove any thing. For as it *may poſſibly* happen that *Popiſh miſſionaries were ſent here to ſow ſedition*—or if not ſent here, as it *may poſſibly* be difficult to prove that *they have not been found*—or if not found, as it *may by poſſibility* be not difficult to infer that ſomething is *calculated to anſwer the ſame purpoſe*—ſo may it be diſcovered by that ſort of ingenuity (by many wiſe and honeſt men called ſophiſtry) ſo much in uſe, that loyalty *might poſſibly* have taught *rebellion*, and that the moſt effectual method of *diſturbing* the government was by preaching *obedience*, and practiſing *ſubmiſſion*. To perſons in the habits of arguing thus, and who are *determined* to be aſſured that it is a doctrine of the Papal See, that *faith is not to be kept with Heretics*; and that *Princes excommunicated by the Pope may be depoſed and murdered by their ſubjects*, it will be hard to prove that any Tenet of virtue can be holden in ſuch a communion, The moſt virtuous conduct will be held out as the moſt dangerous, by acting under a maſk aſſumed upon a principle of religion; and the ſtricteſt allegiance may be depicted as the leaſt to be confided in, becauſe, *by poſſibility*, it may be obſerved with a view of gaining confidence, that upon the principles attributed to us, ought to be betrayed, and power that ought to be abuſed. *(b* 3)

Sophiſtry

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attentive and unprejudiced obſerver may perceive to be the fact, and as by ſobriety and induſtry, it will certainly continue to do more and more. It has been proved that the clergy have been very moderate in their demands for tythes, and it is demonſtrable that they *cannot* be unjuſt or rigorous, unleſs aſking for the full debt due on bond be injuſtice and rigour.

(*a* 3) The diſturbances did not originate in any principles of the Popiſh religion, but in the deſire of indviduals to appropriate to themſelves, what belonged to others; but they were not equally directed againſt Popiſh prieſts and the eſtabliſhed clergy, for this plain reaſon at leaſt, that there was not ſo much to be gained from the one as from the other; beſides they had naturally more reſpect for their own prieſts than for the proteſtant clergy; and as before mentioned the prieſts at firſt at leaſt were reimburſed.

(*b* 3) The various equivocations ſpecified by Walſh and others make it neceſſary to have ſome more explicit declaration of the tenets of the majority of the Papiſts in Ireland than has yet been obtained.

Sophistry is not logic any more than assertion is proof. The Catholicity of the Romish Church—one—only—universal—has been relied on as firmly as if the argument were a syllogism, to prove that, as every true member of that church must necessarily hold the doctrines of the church, therefore that the whole church, and its precepts of faith and discipline, are to be loaded with all the obloquy of private opinions (c 3); some of which have been, in many members of the Roman Catholic Communion, like that of every other, ridiculous, or evil. The sense of the whole body, and the doctrines of the whole church, are, by these means obliged to bear all the absurdities and villainies that all the wicked and absurd individuals of her body ever broached or practised. Let us individually have all the praise or reproach we individually merit, but let our religion be judged as a religion, and let us bestow upon it, for its own sake, the applause or detestation that it may deserve, so far as it discriminates or confounds the boundaries of virtue and vice—so far as it confirms or shakes the law of God—and so far as it strengthens or impairs our temporal allegiance (d 3). Let it stand on these grounds, and the picture that must be drawn of it will never terrify.

It is indeed unlucky for the enemies of truth that they have so many difficulties to encounter. It is charged upon the Roman Catholics that they are friends by principle to slavery, and arbitrary power. * The reason assigned, as in truth the only reason possibly assignable is, that obedience to the legislative authority, whether monarchical, aristocratical, or democratical, is a principle of their religion. And thus we find that in Holland they obey the States—in France, the King—in England and Ireland, the laws as they are enacted by the King, Lords and Commons. The principle of their religion

* It is not perhaps without some degree of pride that I see the Lord Bishop of Cloyne acknowledging, that the Corner Stone of English Liberty rested on the support of the Church.—That a Romish Church, acknowledging the spiritual supremacy of the Pope as much, at least, as it does now, should be so nearly connected with the general freedom, was perhaps more than his Lordship intended to concede to me, when he owned that her preservation was the first article in Magna Charta. But I wish his Lordship had spared me the necessity of reminding him of the inconsistency of charging that very church with an insuperable regard for arbitrary dominion; and shewing freedom rising as the peculiar offspring of the new church, like another Phœnix upon the ruins of the old.

(c 3) The charges are not founded on private opinions, but on the many public testimonies mentioned by all Protestant writers on the subject and by Widrington, alias Preston, Caron, Walsh and other Catholics.

(d 3) The Roman Catholic Religion inculcates obedience in general to rulers, but still subordinate to the dictates of the Pope.

religion extends to every form of government. It is practiſed in Geneva, and would be practiſed in the democracy of Athens, if Athens exiſted. Very true, ſays a modern diſputant. This boaſted obedience is the very thing I blame, inaſmuch as it proceeds upon a principle of ſupreme and uncontroulable power in the eſtabliſhed authority, which is taught as a principle of your religion. Here a moderate antagoniſt might poſſibly be ſatisfied to reſt with the appearance of victory. But moderation is ſeldom the characteriſtic of thoſe, who enter on this kind of warfare. And the next accuſation is, that this ſame religion, that ſo ſtrongly inculcates obedience and ſubmiſſion, is in England and Ireland the patroneſs of rebellion, and diſaffection. For there have been Roman Catholics in England and Ireland guilty of diſaffection and rebellion. It is aſtoniſhing to ſee in what perplexities men thus involve themſelves: and how very open to retaliation a Proteſtant lays himſelf who dwells on theſe inſtances.

Thus, the few deſpicable Roman Catholics, who engaged in the gunpowder treaſon, died in the moſt open and undiſguiſed repentance of their guilt. The laſt moment of a man's life is the beſt touchſtone of his principles. In that aweful inſtant, theſe deluded people expreſſed their contrition for an offence that their religion would not juſtify. The regicides, who ſuffered for the unparalleled murder of Charles the firſt, gloried, on the ſcaffold, in the part they had taken (*e* 3).

If we were to trace the conduct of the Roman Catholics through the laſt three centuries, in which it has been ſo ingeniouſly diſcovered, and ſo zealouſly ſhewn, how dangerous a body they are in any ſociety, we ſhould find their *principles* to be the ſame (*f* 3).

But out buſineſs now is confined to a more recent period. The viſionary ſpeculations of paſt ages is forgotten in the contemplation of preſent occurrences, and we are driven to a neceſſary anachroniſm, in ſtating what the Roman Catholic Religion *is*, that we may ſhew what it *has been*. (*g* 3).

I believe

(*e* 3) Did all the perſons executed for the Gun-Powder Plot expreſs repentance of their guilt? They were not ſo few nor ſo deſpicable; Walſh ſpeaks of thoſe of Powder, Treaſon, principles as forming a one of the two parties of Roman Catholics, ſome were ſaid to have been canonized.—As to ſome of the regicides, granted, *ſed quid ad nos*.

(*f* 3) They acknowledge their principles are ſtill the ſame, therefore whatever can be proved to have been their principles during any time of that period is admitted to be ſo ſtill; they thus cut themſelves off from the defence of ſaying their principles are altered.

(*g* 3) I do not know what the Roman Catholic Religion now is, any way but by diſcovering what it has been, and from thence I am authoriſed to judge what it is. The Papiſts endeavour to make Men forget the Writings and Actions of former times, which ſhew and prove their Principles, but it is our duty not to be ſo miſled. Thoſe paſt tranſactions were not viſionary ſpeculations as they are here artfully called.

(*h* 3) I believe it would be a matter of little difficulty to trace the cause of the southern risings. All the kingdom is now too well acquainted with the distracted state of politics in the great and populous county of Corke, to make the concealment or omission of it a matter of delicacy. It was *found*—or it was *said*—on a late contest for the representation of that county, that all, or most of the clergy of the established church, voted in support of what has been *termed* in that county a *despotic faction*. It has been too much the practice in the politics of the world to make religion subservient to them: and it could scarcely be an unpleasing circumstance to tempers, soured by resentment and opposition, to point the direction of a numerous body of men against those, who by espousing one party, had rendered themselves obnoxious to all the heads of another. It was easy to confirm an opinion, that had many proselytes, that the Protestant divines were practising, under the sanction of law, the most rigid extortions: extortions, which allowing the law to be the strict rule of right, it was impossible they could practise

(*h* 3) An inclination to reduce things to system has contributed to throw an obscurity on the causes of the disturbances. The original and fundamental cause was the desire of the individual to make gain by not paying what he owed, with holding the property of another. (This has been long practised in a smaller degree,) The Farmer thought the less he gave the Parson, the more he would have to himself; and it was true during the continuance of his lease or term, which was more than sufficient to actuate him; for he would have done the same for the gain to be made in one year. The Squire saw his *immediate* advantage in his tenants being thus richer and better able to pay his rent, and his *future* advantage in the rise he would make in his rent in proportion to the diminution of the sums paid for tithe. Their proceedings were plainly *Animo furandi*, the same which dictated the abolition of Agistment, &c. Modus's, &c. Election politic's might and probably did intervene, in resentment for past disappointments and prospect of future advantages; hatred to individuals and to the order might concur but the *Animus furandi* was the foundation.

This paragraph is very loosely but insidiously written.—How could an opinion false and *impossible* be confirmed—when did the Roman Catholic Clergy begin to oppose the oaths, for it was not at first, and the meeting of the Prelates was after most of the country had been sworn—Who told them from or in their Pulpits, that the oaths would be observed.—What appearance of law or even of Chicane in the cunning wherewith oaths were framed which were in open violation of law as he says a few lines before?—The Caution in administring them, arose towards the close, according to the best information that has been published. There was no appearance of respect for the ecclesiastical establishment.—The endeavours of the Priests are exaggerated and so are their sufferings in general, though some of them suffered, I have heard and believe, and those the best; and more were threatened.

tice at all. A ſyſtematic and ſerious plan was cautiouſly concerted, to reduce their revenues and their conſequence. A CAPTAIN RIGHT was ſet up as the arbiter of the conſtitution; obedience was ſworn to his regulations in open violation of the laws of the land, and in open defiance of all the expoſtulations and cenſures of the Roman Catholic Clergy. We are told in our pulpits, that theſe oaths muſt and would be obſerved, in deſpite of all our arguments, our threats, and our promiſes. As yet, however, there was an appearance of law, or at leaſt of chicane, in the cunning with which theſe oaths were framed, and the caution with which they were adminiſtered: and every thing was conducted with great appearance of reſpect for the *eccleſiaſtical eſtabliſhment*, and a diſlike only of the abuſes, that were practiſed in collecting the church revenues. But the inſtant it was found that the Roman Catholic clergy were taking an active part in ſuppreſſing thoſe unhappy diſorders, open war was declared againſt *all eccleſiaſtical eſtabliſhments*. The narrow bounds already preſcribed to the claims of the Roman Catholic clergy were narrowed ſtill more, and thoſe, who already found but a bare ſubſiſtence, were now told that they muſt be ſatisfied with leſs.

WHEN the firſt troubles broke out in the ſouth, the moſt active exertions in their power were uſed by the Roman Catholic clergy to bring back their deluded flock to a ſenſe of duty, order and obedience. We exhorted them in the name of our religion—we threatened with the fear of puniſhment, from that Almighty, whom their wickedneſs might provoke--we argued upon the impolicy--andpointed out the ingratitude, of irritating a legiſlature, whoſe power to depreſs us, had been ſo manifeſtly evinced, in the very privileges it had opened to us. While we were confined in our efforts to exhortations, prayer, and entreaty, we ſuffered only contempt and ridicule. But, when the active loyalty of ſome of our members engaged in a more public and pointed way to puniſh irregularities, that we could not check —ridicule and contempt were no longer our portion. Perſonal inſults were offered in the moſt open and unwarrantable manner; our religion itſelf was treated with contumely, and its ſervice obſtructed with violence. The lower order of people, infatuated with the ſpirit of Right-boyiſm, coupled what *they termed* the *exactions* of their own clergy, with what they *had termed* the *extortions* of the clergy of the eſtabliſhed Church: for *exaction* and *extortion* were the only terms that they now would uſe. The tithing table was accompanied by a regulation of fees to be paid to the Romiſh Clergymen; and it was made a common cauſe to direct all the enmity of an incenſed rabble againſt the *eccleſiaſtics of both eſtabliſhments*, (*i* 3) as leagued for the annihilation of the common liberties and privileges of human nature. From the moment Lord Dunboyne, the titular Biſhop of Corke, and his Vicar-General, ſubſcribed their names among a number of other gentlemen

(*i* 3) Popery it ſeems is an eſtabliſhed religion in this kingdom! The eccleſiaſtic's of *both eſtabliſhments!*

See Brother how we apples ſwim! Swift.

gentlemen (mostly Protestants,) for the suppression of *Riot* and *insurrection*, they and their clergy were involved in all the common calamities, that have alike extended to the established clergy of the Protestant Religion, and the clergy of the Romish. Instances did most undoubtedly happen of outrage and violence, against some of the established clergy. I allow it; but it would only have been justice, when the *grievous situation* of the *persecuted clergy* called forth such lamentations, as we have heard for the tribulations and dangers of the established church, to acknowledge how much, and how sensibly, the clergy of the Roman Catholic Religion had shared in those persecutions (*k*3).

I believe as true a general description of the Roman Catholic Clergy, as can be drawn in a few words, will appear in the following extract of a letter I received last October from Doctor Conway, the (titular) Bishop of Limerick.

Extract of a Letter from Doctor Conway, Titular Bishop of Limerick, October 31st 1786,

TO DOCTOR BUTLER.

——" It is impossible the Priests can live, as those deluded people " (the Right Boys,) tenaciously adhere to their oaths, and will give " them no more than what Captain Right allows—being informed " that they intended to shut up one of the Chapels within a couple " miles of this City. I went there in person last Sunday, and after " preaching to them for above two hours, some of them had the " impudence to tell me, they would not break their oaths, upon " which I left them with indignation, and forbade the Priest to ad- " mit them to sacrament. Being thus refused, they will give no- " thing to the parish Priests, either at Christmas or Easter, but let " what will happen, sacraments are not to be prophaned. Many " of my clergy cannot pay me my *proxy**, and still it is the case " though some of them have the most considerable parishes in my " diocese."

It is really unbecoming and ungenerous when there are such numbers of instances, in which the parish Priests have been treated with direct insult and violence, to recapitulate, with all the pomp in which they are displayed, a few examples of popular fury practised against some

* A small annual acknowledgment of the inferior clergy, to the titular Bishops.

(*k* 3) How was the Bishop of Cloyne called on to acknowledge, or how could he know the persecutions of the Popish Clergy in particular; he has spoke of them with sufficient respect. V. Dr. Hales. But the established Clergy are obliged to this Author for endeavouring to turn their sufferings into ridicule in this paragraph.

ſome divines of the eſtabliſhed church *(l 3)*, and to paſs over the ſufferings of the Catholic Clergy, as if they were leagued with the inſurgents for the ſubverſion of the eſtabliſhed religion.

Doctor Mac Mahon, titular Biſhop of Killaloe, when preaching at the chapel of Caſtle-Connel, againſt the irregular conduct of the lower order of his communion, was violently interrupted, and told, that, if he confined himſelf to religion and morality, he ſhould be heard; but that he muſt not ſay any thing againſt Captain Right, or the oaths taken for obſerving his regulations.

Doctor Gleeſon, (*m* 3) a man whoſe years alone would make him venerable, for he was above ſeventy, was forcibly dragged from his reſt at dead of night; his houſe ranſacked and plundered of every thing worth taking away; and after all the wantonneſs of inſult and depredation had been practiſed upon him,—the Right Boys—thoſe very Right Boys, who are charged by the Lord Biſhop of Cloyne's friend, Theophilus—(a thing, that nothing leſs than the patronage of a Biſhop could dignify with a claim to notice,) with a deſign, on religious principles, to transfer by force tythes from the Proteſtant to the Romiſh Clergy;—thoſe very Right Boys, who are charged with only acting up to the *Tenets of their religion*—took the very bed from under the Miniſter of that religion, after they had deſpoiled him of every particle of property he poſſeſſed.

Mr. Murphy, Pariſh Prieſt of Glanmire, was dragged from his bed at midnight, and obliged to ſwear to abide by Captain Right's rules, and not to ſay any thing againſt them.

Two Pariſh Prieſts in the dioceſe of Cork were forced, from the unparalleled ſeverities they ſuffered, to reſign their pariſhes to Lord Dunboyne, Titular Biſhop of that dioceſe.

Doctor D'Arcy, Pariſh Prieſt in the neighbourhood of Nine-mile Houſe, was publicly aſſaulted at the altar, while officiating, becauſe he reſiſted the progreſs of theſe infatuated diſturbers.

Doctor Nugent, Pariſh Prieſt of Leamlara, was attacked at night by an armed mob, who fired upon him in his houſe, which he was defending againſt them; and he eſcaped from their fury only by the ſpirited reſiſtance of himſelf, his father, and ſervant.

In ſhort, inſtances without number might be furniſhed of the moſt violent outrages offered to Roman Catholic Clergymen; and I particularize the few above mentioned, only to make the proof of my aſſertion the more indiſputable.

A Church *was nailed up.* The authority from whom this comes is too high to be diſputed. *A* church has been nailed up—and fifty chapels

(*l* 3) The Author here again repreſents the ſufferings of the Clergy as trifling, alludes only to perſonal attacks, which however were not few, paſſing over the whole body's being deprived of more than half their income, and being kept in conſtant dread and terror for ſo great a length of time.

(*m* 3) I have heard he was robbed by houſe-breakers, not proceeding in the leaſt in a whiteboy capacity.

chapels have been nailed up and blockaded (*n* 3)—the chapel of Cloghroe, in the diocese of Cloyne—the chapel Boerlane, in the diocese of Cashel—the chapel of Donohil, in the same district—the chapels of Carrickeene and Monchoyne, in the diocese of Ossory—have been nailed up, and their priests treated with the utmost indignity; and if this work were intended to excite pity, or to inflict retaliation, it could be spun to a folio, by the mere recital of those outrages, which have been so anxiously described, as confined merely to the persons of Protestant Clergy, and the Protestant Churches.

When it was urged, that the insurrection in the South was a mere *Popish* insurrection, for the purpose of overturning the Protestant religion, I shall in delicacy suppose it was urged inadvertently; for men, even when worst disposed, do not in general voluntarily run the hazard of such detections as this, and others, that are to be made at present. When the inactivity of the Protestant magistracy was thought to be so flagrant as to merit the animadversions of the Lord Bishop of Cloyne, and the indifference of the Protestant gentry so much alarmed his Lordship's fear for the political constitution of this country, it was a *Roman Catholic Nobleman*, to whose humane, and yet effectual efforts, the county of Kerry was chiefly indebted for its quiet. The name of Lord Kenmare; a name that has been honoured with his sovereign's warmest acknowledgments, and is already so highly and properly estimated by the world at large, can derive little new lustre from any observations of mine: but it may be worth observing, that this very nobleman, so active in enforcing obedience to a Protestant government, has been obliged, by the policy of that very government, to forego all the advantages that a noble patrimony, a most liberal education, extensive connections, and an hereditary claim to sit in one of the first assemblies of the world afforded him, *because he would not sacrifice the Tenets of his religion by turning Protestant.* (*o* 3)

It

(*n* 3) He throughout puts the established Church and the Popish on a par,—a church nailed up!—fifty chapels nailed up!—Q. Were they nailed up by Protestants? The Papists by this way of speaking do, or will soon think they are on a par with us; nay it's well if we don't come to think so ourselves. But let us consider that all is for the best. This conduct, whilst it *may* offend, *must* awaken us.

(*o* 3) Has it been said that it was a mere Popish insurrection for the purpose of overturning the Protestant religion? If so, it was certainly wrong; but it might truly be urged, that such would have been the natural consequence of the success of the insurrections; and that it is not impossible nor improbable that such consequence might have been perceived, and naturally with satisfaction; but this is widely different from the assertion most insidiously represented as the same. The Bishop of Cloyne's alarms and animadversions intimate some other cause. All agree in the merits of Lord

It has been said, too, with great emphasis, *Papists are disarming Protestants* to subvert the government. I can tell his Lordship of Cloyne, that Papists (as he is pleased to call them) *(p 3)* disarmed papists at the same time, though I deny that it was to subvert the constitution. The only instance of capital punishment inflicted last assizes, in the county of Tipperary, for any offence, in the nature of Right-boyism, was that of O'Flaherty, who was hanged for assaulting, disarming, and firing on Mr. Mannin, a Roman Catholic gentleman, who, acting up to the *Tenets of his religion*, endeavoured to oppose the progress of these disturbances *(q 3)*: And the only instance of public, avowed, unequivocal sanction, given to the principles of the Right Boys, or their regulations in that county, was on the part of a *Protestant* gentleman, who subscribed his approbation of them in a public paper as 'laudable resolutions.' But *his* religious *tenets* are not effected by such a mode of conduct, tho' a Roman Catholic, in similar circumstances, would, I dare say, afford matter for comments, and strictures, and observations, out of number.

I can also tell his Lordship of Cloyne, that a clergyman of the church of Rome, alluded to in Doctor O'Leary's *Defence*, went so far,

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Kenmare; but this is foreign to the argument: The disabilities laid on Papists, were not on a supposition that there might not be one or many, who would be good subjects, or who might wish to preserve the peace of the country *in the interim* (for that would be sufficient for any thing yet done or pretended); and it is insolent and impolitic to be thus arraigning the conduct of the Legislature of the nation for above a century, at the very instant almost when such great (and perhaps unmerited) relaxations have been granted by law, and such connivance practised at many known infringements of the law. Observe how unfairly and sophistically the case of Lord Kenmare is stated; the only advantage which he is supposed here to forego, for he may have arms, and he wants no place, is the sitting in Parliament; and this, as here stated, does not apply to his case; were he a protestant, he might be elected a member of the House of Commons, but he has no hereditary claim to sit in Parliament, for *he is not a Peer*. And pray does the phrase *not being a protestant*, and the phrase here used, *not sacrificing the Tenets of his religion, by turning Protestant*, convey the same idea.

(p 3) So the acts of Parliament also are *pleased* to call them.

(q 3) The cases are exactly parallel!—The Whiteboys went by night to the houses of the Protestants, roused them from their beds, and by threats and force, got from them their arms, powder, money for powder, &c. Mr. Mannin, like an honest, sensible, and gallant man, edeavouring to disperse a body of Whiteboys, was opposed and fired at by them,—whether he lost his arms I know not; this is one little instance of the author's exactness and candour. Had fifty Protestant Gentlemen done the same, it is nothing to the purpose: 'Tis too well known that some Protestants were Whiteboys.

far, as to inform the magiſtracy of the Right Boys intention to ſwear his pariſh, and occaſioned the army to be brought for the preſervation of quiet. (r 3)

When the ſpirit of Right-boyiſm was diffuſing itſelf ſo widely, the Roman Catholic Prelates had but one method of checking it; by ſhewing to the common people, that the oaths they had taken were contrary to all morality and religion; *mala in ſe*, to be repented of and to be broken, rather than to be obſerved. That gordian knot, by which the greater part of the Southern multitude was linked together, could be cut no other way, and the Roman Catholic Prelates of Munſter, to effect this deſirable purpoſe, met at Cork, the vicinity of the birth-place of theſe inſurrections, and came to the regulations reſpecting our own clergy, and the admonition regarding the illegality of the riotous conduct then generally purſued by the lower orders of people, as they appear in the Appendix, No. I.*

After this open and decided conduct, in which it could hardly be ſuſpected, that the Catholic Prelates would take any meaſure, ſo unequivocal, that ſhould appear directly contrary to their religion: after they had, thus, in the face of the world, come forward to impreſs on the minds of their flock, that thoſe oaths, which they had taken, were in expreſs violation of their religious duty; it could ſcarcely be ſuſpected that thoſe very Prelates ſhould be charged with binding themſelves by oath to a conduct equally unjuſtifiable. A more certain method could not indeed be purſued, to render the Catholic Clergy, and particularly the Catholic Prelates, objects of contempt with the People. What could a man, arguing upon the Biſhop of Cloyne's premiſſes, ſay, but that the very oath, againſt whoſe impiety and illegality we exclaimed, was but the extenſion, to particulars, of that very oath, that ourſelves had taken in that moſt awful moment of our Epiſcopal conſecration? that, conſequently, if they incurred guilt by taking their oath, we had been equally guilty in taking ours: And, that if our oath were lawful,

* See Appendix, No II. for another declaration of the Titular Biſhops of Munſter, in May 1784, recommending, in the ſtrongeſt terms, peacefulneſs and obedience to the very government, (ſ 3) that it is ſaid they aim to overturn.

(r 3) Several Prieſts behaved in the like manner. But obſerve this author repreſents *this* as a very ſtrong and ſingular exertion: Others might think it was incumbent on all of them.

(ſ 3) All this is evaſive, it is not denied that obedience to Princes, even heretics, is often inculcated; and the Pope grants them a *permiſſion* to pay it; v. appen. 2. but this does not contradict the aſſertion, that the Pope may abſolve them from that obedience. In the preſent caſe, there were additional Reaſons for the papiſts deſiring to preſerve the peace, they were hoping, expecting, demanding new favours, which thoſe diſturbances might prevent their obtaining.

lawful, we then were guilty of perjury in not obſerving it ſtrictly. —To ſtate the oath taken at our conſecration to be diametrically oppoſite to our oaths of allegiance, and involve us in either way in all the guilt of perjury. (*t* 3) We took an oath to preſerve and encreaſe the royalties of Saint Peter: Nothing more was to be done than to aſſert that thoſe royalties meant *temporal* royalties, and that our ſecond oath (of allegiance to the King, denying any *temporal* power in the Pope) was in open violation of the firſt, by which we bound ourſelves to the Pope. (*u* 3) Nothing more was to be done than to aſſert that 'perſequar et impugnabo' meant bloody perſecution by fire and ſword, and to urge the civil obedience of the Roman Catholics to heterodox powers, as at beſt but a meritorious perjury. (*w* 3)

This method of painting the Roman Catholic Prelates as perjurers, (*x* 3) and the oaths of Roman Catholics as nugatory, ought yet

(*t* 3) How the oath of allegiance is reconcileable with the conſecration oath, lies on them to ſhew; we think them irreconcileable, notwithſtanding what Boſſuet has ſaid, and he, and all the reſt, practiſed.—The oath *muſt* be taken, and they get over it as well as they can, by ungrounded and forced interpretations and evaſions, which can never be admitted by the faireſt opponent. Walſh expreſly aſſerts they are irreconcileable;—*we know*, ſays he, *they muſt be perjured to the Pope, if they prove faithful to the king*: but beſides, the Pope's diſpenſing power renders this equal, as to *our* danger, though not to the danger of their own conſciences. In this paragraph we find an acknowledgment that the oaths taken by the Whiteboys are as *repugnant to their allegiance* as we charge the conſecration oath to be: if ſo, well may it be ſaid, *that the Papiſts are combining in their chapels againſt his majeſty's crown and dignity.* v. App. No. 4.

(*u* 3) The word is *royalties*, without addition or reſtriction; what the impoſer of the oath, the Pope, means, (if that is of any conſequence, as Dr. B. acknowledges it is, in his letter to Cardinal Caſtelli) appears by his claims ſo often mentioned, and by his being ſatisfied with this oath alone from the Prelates in his territories; and what ſenſe they take it in, appears from their thinking themſelves bound by it to temporal allegiance, and this is allowed indeed in this Pamphlet.

(*w* 3) It has been already, and will be again remarked, that the Pope permits Papiſts to obey and pay taxes to heretic princes, in certain caſes, and to a certain degree.

(*x* 3) There are ſome Tenets which, 'tis ſaid, Papiſts may not deny on oath, (v. Walſh) tranſubſtantiation is one; could a Prieſt enjoy thoſe benefits without doing ſo? That there are many worthy and ſincere Roman Catholics, lay and eccleſiaſtic, none deny, and the conduct of many of them has ſhewn their conſcientious regard to an oath; but this does not refute the aſſertion, that the Pope claims a power to diſpenſe with oaths, whenever he thinks fit, nor remove the fear of the uſe that might be made of this on certain

yet to be adopted with great caution in a country that contains so many witnesses of Catholic sincerity. If we will not trust for men's sincerity to their professions, let us compare these with their conduct. When, under Queen Elizabeth, many convicted clergymen of the Roman Catholic communion were offered pardon, if they would acknowledge her supremacy, they rejected the bribe of life, when proposed as a reward for the violation of their faith and integrity. In modern times, their steadiness has been no less remarkable. The charms of a fortune and independence are great to a poor man in necessity. The social allurements of the marriage state are captivating to a man, deprived, by the discipline of his religion, of all its assistance and its comforts. The certainty of an establishment, supported by law, might be a strong inducement to make many waver in a belief, which reduces them to a dependence upon contributions, that they cannot enforce by the aid of the secular arm. That sincerity must surely be not so flexible and accommodating, as the world is taught to believe, which overcomes all the discouragements of austerity, solitude, obedience, and poverty, and resist all the temptations of ease, affluence, and the highest enjoyments of social life. Look at the circumstances of a Popish Priest, in general incumbered with a vast weight of duty through a very extended circle, waste, perhaps, and uncivilized: dependent for his support upon the offerings of a flock, whom he is often obliged to goad by the unwelcome pricks of conscience, rather than to seduce by blandishments, or secure by connivance: deriving, in many places, little more from their oblations, than twenty pounds a year. Compare his situation with that of a clergyman of the established church, into which body he can be at any time admitted by reading a recantation, (a thing easily done with the advantage of mental reservation), and by doing which he would be placed in a certain independence of at least 40*l.* a year, with in general but a very narrow circle, and but a light burden of duty, in the discharge of which he should have no temporal inducement to connive at transgressions. And if under these circumstances we find the instances of recantation to be so very few, that the small progress of conversion is complained of even by the Protestant divines, who are armed with all the temptations I have recounted—if in this small number not one is to be found to proceed upon a principle of duplicity justifiable by religion—if, in the clergy of the Roman Catholic communion, we find exemplary morals, and instruction strictly religious, surely

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occasions: But though the Pope *may* dispense, he *is not obliged* to do it, and sometimes it would be inexpedient and prejudicial to his interests; for instance, had all the Papists been permitted to conform apparently, in order to save their estates, to escape penalties, and to obtain benefits, the consequence, in all probability, would have been, that in a few generations, they would all have deserted the Church of Rome. Thus in a similar case tho' inferior degree, we know he dispenses with the vow of celibacy for the repose of a kingdom, or *the preservation of a noble family*.

ſurely charges of ſyſtematic inſincerity appear to come with a very bad grace.

The political ſincerity of the Catholics, (y 3) one would imagine, ought to have appeared in pretty evident colours from their inviolate allegiance, for ſo many years, to the declining and fallen houſe of

(y 3) From the Reſtoration, the next heir was, and for ſome years before the Revolution the King was a Papiſt, and ever ſince the Pretenders have been Papiſts, and all eccleſiaſtical preferments were beſtowed on their recommendation, as is well known, till the death of the old Pretender; good reaſons for their allegiance: Since that time the Court of Rome has not acknowledged his ſon, for reaſons eaſy to imagine, nor have eccleſiaſtical preferments been beſtowed on his recommendation; hence their allegiance to him ſlackened; and Rome permits them to pay it *now (ad interim et ſub modo)* to the Houſe of Hanover, as it did *before* to the pretended Queen Elizabeth. But to look a little more cloſely into this matter, —upon what principle did the Roman Catholics perſevere for ſo many years (Q. when did theſe years end) in their inviolate allegiance and fidelity to the *declining* and *fallen* Houſe of Stewart (obſerve the diſtinction). Muſt it not be *this*, that they thought the proceedings and acts which produced the Revolution, and ſubſequent, preſent ſettlement did not, could not, deprive them of their right to the crown? that ſuch right was ſtill inherent in them, that they were Kings *de jure*, though not *de facto*. If ſo, how can they withdraw that allegiance from Charles ſtill alive, and after his death from the Cardinal of York his brother? Or if they were both dead, would not that allegiance be ſtill due (as Doctor Burke, the late learned and honeſt Titular Biſhop of Oſſory, juſtly remarks) to the King of Sardinia, the Kings of France and of Spain, and the half hundred more prior to the Houſe of Hanover in point of hereditary ſucceſſion? What has transferred their allegiance from them to the Houſe of Hanover? If they ſay, Our Fathers, and we ourſelves were miſtaken in our political tenets, we ſee our error, and now ſincerely embrace the truth, and acknowledge the juſtice of the preſent eſtabliſhment; I rejoice at it, and ſay with Prior,

Bleſt for *their* ſakes, be human reaſon
That came at laſt, tho' late in ſeaſon!

But ſuppoſing, or granting this to be true, ſtill we have here a plain proof, unexceptionable evidence, THAT THE ROMAN CATHOLICS OF IRELAND FOR MANY YEARS WERE JACOBITES, NOTWITHSTANDING THEIR REPEATED PROTESTATIONS OF LOYALTY AND ALLEGIANCE to King George, that theſe proteſtations were falſe, that this continued down to the year 1775; for this made them heſitate about taking the oath of allegiance to King George, they aſked the opinion of many Doctors whether they might take it. What then becomes of their boaſts in this pamphlet, in Curry and his continuator, in O'Leary, in all their writings and converſations, of their *long tried ſteady loyalty* manifeſted by their behaviour,

of Stuart. Men, who had perſevered, under the ſufferance of all thoſe evils, that obſtinate honeſty could bring upon them, in their fidelity to the family, to which they thought the power of the crown adhered, gave very favourable grounds to think, that their preſent allegiance to the Houſe of Hanover, in which they now acknowledge the *right* of the crown to be veſted, (z 3) would be equally

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and their not joining or being engaged in the deſigns in favour of the Pretender in 1708, 1715 or 1745? *They were faithful inviolate Jacobites all the time.* We have here a ſhining teſtimony (*many, many thanks to Doctor Butler for it*) of the juſtice and prudence of our government ſince the Revolution, in enacting the penal, reſtraining and diſabling laws againſt Papiſts: It was *not at all*, becauſe they believed tranſubſtantiation; it was *not alone*, becauſe they held the Pope's diſpenſing and depoſing power, though that would have been ſufficient, it was moreover and principally, becauſe they were Jacobites, becauſe they were enemies to the preſent eſtabliſhment (and the more *dangerous*, becauſe they moſt ſolemnly denied it, and perſiſted in ſuch denial, and boaſted of holding opinions contrary to what they did hold). *This* our Government knew and declared; this they themſelves have now undeſignedly acknowledged; this being or having been their *obſtinately honeſt, faithful, inviolate* allegiance, which the ſufferance of *no evils could overcome*, is it unreaſonable for *us* to *ſuppoſe*, (Government probably *knows* it) that endeavours of various kinds have, from time to time, been uſed in ſupport of it? Did not this require a watchful, a jealous eye to be kept over them? *Does it not ſtill require it?* For though it be admitted that ſome of them may have long held, and that others of them have more lately embraced the principles of loyalty to the preſent eſtabliſhment, yet it is difficult to imagine that the bulk of the people could on a ſudden change their old inveterate opinions which were connected with their claims and expectations of the lands which had formerly belonged to their anceſtors, and in which they had been bred up and inſtructed by thoſe for whom they had the higheſt veneration; if ſo, implicit indeed is their faith and obedience! and *dangerous, becauſe great*, is the power of thoſe to whom they yield them. Here remark, that the Roman Catholic Clergy were to explain the *propriety* of the oath, and their Prelates agreed that it contained nothing contrary to the principles of the Roman Catholic religion: whether this extends neceſſarily and plainly to a declaration, that they owe no allegiance to the Pretender, and that they do it to King George, may be doubted; it may in their eye mean only, *if that is your opinion*, you may ſwear it; and thoſe Prelates may ſay with the Sorbonne, that it is not their buſineſs, *as Divines*, (in which character alone they make this declaration) to decide on political queſtions.

(z 3) Dr. B ays, they acknowledge the *right* of the crown to be veſted in the Houſe of Hanover, which is more than is *expreſſed* in the

equally permanent and unalterable; and, indeed, nothing but a conviction of the perpetual conclusion of such an oath as the test, (arising certainly from a conscientious observance of the obligation) could have made them hesitate a moment about taking it.

It is complained that there are few converts to Protestantism, with as much ease as though the complaint were not uttered by a christian. (*a* 4) The Roman Catholic religion *holds its ground* against all the allurements of power and interest: She *held her ground* against all the attacks of forfeitures and penalties. The christian religion *gained ground* on the Pagan worship that enforced its verity by penalties likewise. It fought with success against punishments and tortures, and it arose triumphant above all the temptations of interest. But truth is very alluring with mankind, and when she speaks in the language of distress, sufferance, and calumniated innocence, her voice is fascinating.

But we are digressing. Let us pursue the conduct of the Roman Catholic Clergy, acting up to the *Tenets of their religion*, during the remainder of the disturbances.

It was in the midst of these unfortunate troubles, (*b* 3) that a desperate Maniac aimed a blow at the life of our sovereign. The cry against Popery had, however, not yet been loud enough to dignify an attempt that might vie, in point of respectability, with the narrative of Dangerfeldt, with the name of a *Popish plot*, or to charge the body of the Roman Catholics with setting up a female candidate for the sceptre of Great Britain: and Margaret Nicholson is, to this hour, I believe, a living witness that no Popish missioner whetted the blade that was to stab our sovereign.

But the moment, when so daring a piece of fanaticism was but immediately past, was not suited to such reflections as these. The first thought, that entered our minds, was a pious gratitude to the Almighty, by whose all-wise and powerful interposition the world was yet to look up to an example, set so eminently and worthily before mankind, of all that is generous and benevolent in human nature. The Roman Catholics—those very Roman Catholics, who are charged with holding that it would be lawful for them to plunge the dagger into the bosom of their sovereign, because he professes a different religion from their own—those very Roman Catholics, who are thereby accused of holding every principle of rebellion,

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oath. Who drew up the oath? More observations may be made on this subject.

(*a* 4) Have there been few converts to Protestantism within the three last centuries?—Let half Europe answer! These began every where, and now continue in many places, in despite of interest on the one hand, and penalties on the other.—And why is it unbecoming a christian to lament that few are converted from what he thinks a corrupted religion, to that which he thinks purged of that corruption?

(*b* 4) The rant about Margaret Nicholson is ridiculous. The address proves nothing: Surely policy or even civility would dictate that. See App. No. 4.

lion, ready to shew itself on the first opportunity—those very Roman Catholics, who are stamped with the black character of persecution, by fire and sword, of what they may esteem heresy—threw themselves at the feet of their monarch—a monarch, whose religion is upon their principles, certainly not orthodox—a monarch, who stands upon the very eminence of protestantism full in the teeth of the Court of Rome—and, with a warmth not easily feigned, poured out their exultations at his escape; and with a fervency not easily counterfeited, offered their prayers for his preservation.*

Feeling, as the Roman Catholics did, the integrity of their intentions, so much injured by those foul and false aspersions thrown upon them, they could not look without astonishment at the unwarrantable extent, to which it was proposed that they should be punished—indeed little short of the extermination of their religion (c 4) Impressed with that confidence, that originates, and can originate only from conscious rectitude, they appealed to the justice and wisdom of the House of Commons, in behalf of their open, upright, and decided conduct, (see Appendix, No. 4.) But their appeal was rendered unnecessary; for that honourable body had already thrown out those objectionable clauses, which would have given to the *riot bill* a character of persecution, little suited to the liberality, with which the legislature has already treated the Roman Catholic body.

And if it be, as it possibly may be asked, why then should we now keep up the ball by continuing to refute those calumnies, that have been, in this instance, as ineffectual as they are false? It was by no means intended that the mischief designed to us should rest there: the assiduity with which the "Present state of the church of Ireland" has been dispersed throughout Great Britain, and possibly to other countries, was not merely to effect the security of the Protestant religion. Or at least, if I may borrow a mode of reasoning

* See Appendix, No. 3.

(c 4) Pulling down the chapels was deemed inexpedient, and therefore not enacted; but to say it is unwarrantable, is arraigning our laws for two hundred years; for till 1782 it was unlawful to have any such chapel. And how would this have been little short of exterminating their religion, as he must allow, it was not exterminated by the laws prior to 1782. The greatest objection to the clause was, the bad use which *might* have been made of it by false accusations, and the omitting it shews the *extreme* tenderness of the Legislature, towards the papists, for the danger was more imaginary than real. v. App No. 4. Where the crime should have been really committed, a complaint of this species of punishment would come with a bad grace from those who know, how often churches, nay kingdoms, have been laid under interdicts, for supposed crimes committed there, or a King's quarrel with the Pope, as England for seven years together by Innocent III.

reasoning from its Right Reverend author, *it is not merely calculated for that purpose*; but to paint the Roman Catholics as unworthy from the *Tenets* of their religion, of protection (*d* 4) under any government. Hitherto, like Francis the first after the battle of Pavia, we might exclaim "all is lost but our honour:" that small remnant, preserved amidst the general ruin of all our fortunes was now to be wrested from us. Like the treacherous inducements of those cruel plunderers, that hold out false lights, when some storm-beaten wreck wishes at last to gain a creek of safety, lights were shewn to

(*d* 4) The Bishop's pamphlet dispersed itself through all the British empire, by its intrinsic merit; because it was well written on a subject most important and alarming at this present juncture; Nothing else could have circulated eight editions of a tract on matters far from entertaining, in three or four months time. Did not the Bishop of Cloyne know the Popish Tenets before? Was he not most active in procuring them the privileges they now enjoy? Which are as much as he, and *many more*, think they can safely been trusted with; for what remains but places, arms, and Legislature? Why then is he represented as painting them unworthy of protection? Were they never before charged with the Tenets now charged upon them, and the danger arising from such Tenets painted in a much stronger light? How then was that honour not wrested from them heretofore as well as now? Was there ever a *general ruin of all their fortunes*? *Have* not the Earls of Shrewsbury and Traquair, the Lords Stourton, Cahir, Kenmare, Dunboyne, Gormanstown, Mr., Butler of Ballyragget, Walter Butler of the Castle, Sir P. Bellew, Charles O'Connor, Jermingham, Gage, Mannock, Barts, Townly, Constable, and many others *still* Papists; *and* not the Dukes of Norfolk and Gordon, Lords Falconbridge Molyneux, Seaforth, Westmeath, Nugent, Talbot of Malahyde, and many others who *have left* them, lands and other fortune in abundance? It is not meant that many unjust things have not been done against Papists; yet perhaps not so many as are generally supposed, and on careful enquiry it might appear, that few if any Papists have incurred forfeiture as *Papists*; nor do I know that the law ever inflicted the loss of land on recusancy, and their forfeitures (to borrow the words of the translation of the Sorbonne Answer) were never but for acts or supposed acts of felony and sedition, (here however must be excepted the innocents among those who were precluded a hearing before the Court of Claims under the unjust and infamous pretence that the time was elapsed—or any other such, if such there were; and even here it was not done out of hatred to their religious tenets, but plainly *animo furandi*, as I have said of the Whiteboy motives). To return—*What* were the treacherous inducements? *Who* the cruel plunderers? *Who* were to be plundered at this time? The words *who were* and *what were* should be here understood to be prefixed to every sentence, and let this author, or any other, give the answers.—The falsehood and seditious insolence here displayed would be insufferable, were they not contemptible.

to us, bright and alluring: Beacons were erected to call us from the pathless waste, to a safe harbour of honourable security, and certain protection. But the lights were delusive, and the harbour was beset with so many rocks and shallows, that it was but "confusion worse confounded" to enter it. Short speedy ruin threatened us abroad: Long lingering torments awaited us within. Thus, while we stood aloof, and refused to take the oaths of allegiance, that militated with all our principles of religion, we were buffeted and beaten by every tempest of penalty, incapacity and deprivation. When an oath was framed, consistent with our religious Tenets and we took refuge under it; when our behaviour for many years spoke the system of peacefulness, that our assurance had promised; a consecration oath, taken merely as to spiritualities, is tortured and perverted to prove that we are perjured (*e* 4).

SECTION II.

A Retrospect of the Roman Catholic conduct for many years, antecedent to the late troubles; and their decided adoption of the Test-Oath, as strictly consonant to their religion.

IT is very dangerous to have constant recourse to an imputed principle, to fix a complexion on every action of man. The human mind is too variable and inconstant: the chords by which it is moved, are too numerous and diverse, to act always systematically. While avarice, ambition, discontent, resentment, the temptations of power, and the enchantments of superiority, are main-springs of human conduct; as much at least, as honour, disinterestedness, charity, honesty in rags, or the blessings of martyrdom, pure religion will be found, among the *generality* of mankind, to give but a small addition of force, in the contests for power, or the controversies in matters either of faith or opinion (*f* 4).

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(*e* 4) The same accusations of the consecration oath have been made long ago, v. Walsh *and (ab.)* What was related in the news papers this last winter is very remarkable, if true, viz. that a Russian at his consecration as a Roman Catholic Bishop in Russia, stopt short at *persequar et impugnabo* in the oath; application was made to the Pope, and by his permission the clause was omitted, and the consecration afterwards performed without it.

(*f* 4) Men do not always act according to their principles either good or bad: The Bishop of Cloyne with all men of sense will allow it; but if a principle truly imputed, tends to produce certain actions, it seems very dangerous not to attend to it constantly in every judg-

It is however an useful weapon for a bad cause. It pre-engages one's wishes against a man or his principles, when we fill the mind with such insinuations, as have usually been employed against the Roman Catholic doctrines. It is upon this principle that we have been charged with a systematic aptitude for arbitrary dominion. Liberty is the first blessing of man; and it was therefore a *cunning*—I will not say a *wise*, an *honest*, or an *honourable* method of arming one body of people with prejudices against another. He, who is willing to be a slave himself, will naturally conspire against the freedom of his neighbour. It was upon the same principle, of pre-engaging the hatred of mankind, that the Roman Catholic Religion was loaded with all the odium of a *cold blood, unrelenting, spirit of persecution by fire and sword*, and that all the force of exaggeration is employed to make the "persequar et impugnabo" of the Romish Bishop's consecration oath, appear with all the terrific appendages of faggots and gibbets, and graves, and furze-bushes.—Why modern murders and cropping of ears—barbarities that no christian sect cou'd ever justify,—and committed with so many circumstances of irregularity and indiscrimination, that no system of persecution, however bloody, could dictate them—are coupled with a harmless profession of zeal for the propagation of religion, to paint the Romish Bishops as the most flagitious of all human beings.

But it is not by those misrepresentations, that are used to the *present generation of men*, that I should be sufficiently excited, to contribute in increasing that gloom of bigotry and religious rancour, that threatened to overshadow the bright gleam of patriotism and liberality, in which we saw charity and confidence gladden every countenance; rather should I have remained a silent and solitary sufferer from the affecting prospect, than, in any wise, continue, by opposing

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ment you form, and to be on your guard against it, especially, if such principles have frequently produced such actions. This must be applied also to the following paragraph. Have such tenets been held and taught? what are the consequences naturally to be expected? what have the consequences often been in fact? The Charter-School Catechism has been already noticed, vide *(w)*. to which it must be added, that they are not confined to the catechism, nor is their *principal* instruction drawn from thence, it is drawn from an excellent tract, the present Bishop of Cork's Exposition of the Church Catechism, nor are other instructions suited to their years and capacities with-held from them; the catechism in question is occasionally used, and perhaps not so frequently as it ought, and it is used on the account, and for the purpose before mentioned, which are thought very good reasons for it. I suppose the Society are as learned and respectable a body as any in this kingdom at least, and therefore not likely to build on false and erroneous foundations. Confute their assertions, and if they don't call the catechisms in, print new, acknowledge their former falshoods and errors, and make *amend honorable* for them, I'll give them as many bad names as you have scattered upon them and Protestants in general.

opposing accusations, which every man's own sense would soon refute. The means, however, used to rivet those impressions on the tender minds of the infant generation, alter those dispositions—when, instead of a system of moral and religious duty—instead of the precepts of the gospel, and the examples of scripture to establish principles of virtue and religion—so large a number of persons, as the children brought up in the English Protestant schools in Ireland, are confined in their catechisms, † which have been compiled by the directions of that very learned and respectable body, "the Incorporated Society," to an enquiry into the *abominations and horrors* of the Popish religion—when the very foundation, on which their information is built, is *false and erroneous*, tending to impress them, in the most critical moment of life, with the vilest suspicions against the whole Roman Catholic world—when this system, which has been practised at least for eleven years back, is relied on *now* to justify and confirm a Right Reverend Prelate's charges on the Catholic tenets, and the assertions in his pamphlet are no more than a repetition of those in that catechism—it is surely not uncharitable to think, that the present insinuations against the Roman Catholics are thrown out with *other designs*, than the *mere preservation* of the established church. (*g* 4)

When in the year 1776, so soon after the test-oath had been offered by the Legislature to the Roman Catholics of Ireland, I saw this frightful picture exhibited of the Roman Catholics, notwithstanding all our most earnest endeavours to disown and disclaim the resemblance, it was natural for me to conclude that the republication of the catechism, at the very critical moment when it appeared, was designed to undermine, imperceptibly, all the liberal plan the Irish Legislature, in its superior wisdom and benevolence, had formed of removing all these penal shackles, (*h* 4) with which distrust and prejudice had loaded

† Vide *f* 4

(*g* 4) What other design but the preservation of the established Church and Government can there be in the Bishop of Cloyne? What his opinions *were*, his conduct in 1782 shewed: it does not appear that he has changed them, and in his pamphlet he has again avowed them; he would give the Papists all the indulgence consistent with our safety, he would not give them what would be dangerous: If he should *now* think that less indulgence ought to be granted to them than he did *heretofore*, it must be owing to *something*, to their behaviour *since* that time, or to circumstances of it which he has *learn'd* since that time, or to both.

(*h* 4) The Author says, the Irish Legislature, in its superior wisdom, *had formed* a plan of removing *all the penal shackles* (i. e. the restraining and disabling laws) as soon as the Papists had taken the oath: Words of great extent! Surely the Lords, all Protestants, *had not*; surely the House of Commons, all Protestants, *had not* (for surely the Constituents, all Protestants also, *would not* have approved of it); surely the King, a part of the Legislature, *could not* have formed such a plan, for it is contrary to his interest, and to the safety of his Crowns. But this shews what the Papists had in view, hoped, expected, and *have demanded*.

loaded the Roman Catholics, during the uncontrouled sway of party spirit and illiberality, as soon as the Roman Catholics by taking the test, as proposed by Parliament, should have removed all apprehensions of their loyalty to their King, and attachment to their country. It could not well indeed be considered in any other light, than as an index, to hand down to future ages the oath of allegiance, that the Roman Catholics had taken, as a lasting monument of Popish perjury.

(*i* 4) Under these impressions of a long and well concerted plan against the character and the liberation of the Roman Catholic body; when the growing race of Protestants had been so sedulously taught, that the pillars of the Roman Catholic religion were "a justifiable "violation of faith with heretics," and "a power in the Pope to "give a licence for regicide", to those who should be subject to a temporal sovereign of the Protestant religion—came forth "The "present state of the church of Ireland," *sounding the alarm* and *speaking out*, to help all the *short-sighted* friends of the established church to *see* imaginary dangers, and avert visionary evils. The same Dissenters and Catholics who had, in times of turbulence, stood in the same rank with their Protestant neighbours, in support of the laws and the constitution, were now to be delineated as the only enemies to the government of the country.

I had all my life, since I came to preside in my present station (*k* 4), anxiously taught the *tenets* of my religion. I found them consistent with

(*i* 4) When did this long, well concerted plan begin? Was it at the compilation, or any, and which of the subsequent impressions of the Charter School catechisms? Was it in 1774, 1778, or 1782? The Bishop of Cloyne was not engaged in this plan when he promoted the Act of 21st and 22d of Geo. 3d.

(*k* 4) None are questioning Dr. Butler's worth, piety and sincerity. The question here is about facts,—the tenets held,—the plain import of the oath.—May not good men have inconsistent tenets? Or if a man may sometimes act worse than his principles, which none deny, why may he not sometimes act better? His good tenets, natural goodness of heart, and general principles of morality may sway him against evil tenets in all usual and quiet circumstances, and yet much danger may arise when the evil tenets are pressed upon him, in critical circumstances, by what he thinks a superior authority: But if his goodness and good sense should preserve a good man, can it be expected or supposed that they would preserve all others not so endowed? It is the common artifice of the Pope, and his agents to mention slightly, and but seldom, in common intercourse (however strongly and repeatedly they have asserted and claimed them in their decrees and writings) those doctrines and their *necessary* consequences which would revolt the sensible, and shock the good; but to inculcate frequently, and impress strongly the less glaring, tho' not less dangerous, doctrines of implicit faith and obedience due to him; and not to produce the horrid doctrines, nor require obedience to them, till the fatal moment for their perpetration is arrived; then there is no time

with my loyalty I took the oath of allegiance to my prince, and found it a *tenet* of my religion to obſerve it inviolate. I had in that moſt awful moment to me, the time of my conſecration, taken that oath, which is preſcribed to every Catholic biſhop, and found, that, compared with my other obligations, it neither involved perplexity nor perjury. Could I then hear it ſaid, that a good and honeſt man of my religion muſt, therefore, be *better than his tenets?* Could I hear it aſſerted, that the teſt of allegiance was conſidered by me as *malum in ſe*, bad in its very nature—and that I conſidered "the guilt of taking it would be en-"creaſed by the guilt of keeping it?" Could I ſee my conſecration oath painted with the higheſt colouring as ſubverſive of all allegiance, and neceſſarily obliging me to a ſyſtem of perſecution by *fire and ſword*, from which I could be reſtrained only by penalties and incapacities?—without concluding that the accuſations, *now* brought publicly forward by the Right Reverend the Lord Biſhop of Cloyne, to terrify the *grown* generation, was only a branch of that ſyſtem, which had been adopted in the inſtruction of the riſing one?

That the methods, uſed to render the Roman Catholic religion obnoxious, were not always very amiable, is what her moſt zealous enemies will not deny. This has been the misfortune of many communions, and it is from hence that all or moſt of the controverſies have ariſen, that have perplexed the world, between the practices

for reflection, or better thoughts and reſolutions; the poor victims find themſelves oppreſſed and ſtupified, their conſciences terrified and harrowed, with the idea of breach of what they have long look'd on as of indiſpenſible obligation, they are intangled in the ſnare and hurried down the torrent to final deſtruction. Thus the leaders of banditti, or of conſpirators, do not entertain their followers with the dangers they muſt encounter, or the barbarities they muſt commit; and the too lively repreſentation of them, ſtruck ſuch terror into the mind even of Jaffier, a principal conſpirator, that he diſcovered the Spaniſh conſpiracy againſt Venice, to the manifeſt danger of himſelf and his deareſt friends. v. Abbé St Real. That a ſimilar conduct is purſued in all caſes of ſeduction, I appeal to the ſeducers, to the ſeduced, and to all thoſe to whom they have either impiouſly boaſted of their ſucceſs, or piteouſly bewailed their undoing: And what would a *parent* ſay to his *child*, a *director*, to one under his *direction* or a *confeſſor* to his *penitent*, whom they ſaw repoſing an unlimited confidence in, profeſſing an implicit obedience, and entruſting their deareſt concerns, their life, their honour, their ſoul! to a man known to boaſt, that all women were made for his uſe and pleaſure, and who had ruined many, only becauſe he ſaid, from time to time, Never do any harm, be always a good girl, don't believe the ſtories you hear about me, they are my enemies who ſpeak, I am your friend, your father, I will do you no harm, can you think me ſuch a villain? and ſo forth. Would they not ſay, *Fuyez le comme la peſte; ſi ce n'eſt pas un peché mortel que de l'entendre, c'en eſt, au moins, l'occaſion prochaine.*

tices of men, and the dictates of religion. But in the measure, which I have hinted, there seems to have been something of so dark and unfathomable a policy, that really nothing less than our present very delicate situation should force me to expose it to the light. Jealous as was the eye, with which I knew the conduct of my communion, notwithstanding all its exemplary consistency of obedience, was still viewed by other non-conformists; cautious as I knew the Legislature might possibly be, of offending one great body of subjects, merely to do another justice—and irritably as I expected men's minds might be rendered by the exposure of manifest mis-representation; I thought in delicacy, humanity, and prudence, that it would have been better to leave, in obscurity, truths that would possibly do some mischief, than to drag them into public notice where they could do little good. It was an unwilling duty, that threatened to bring back that melancholy gloom of mutual distrust and resentment, on countenances, that the revived chearfulness of confidence and friendship had composed and serened: It was an unpleasant office, to wither in its first bloom that chearing blossom of benevolence, that promised to shed its influence over society, and unite in one great stem all the jarring differences of religion. Such however are the consequences, that human prudence could not help foreseeing, from the misrepresentations, held out to the world, of the Roman Catholic *tenets*. Let *us* try, upon other principles, how far a comparison of these tenets with the charges brought against them may help to close the breach, that it has been so industriously attempted to make, upon religious principles, between the Catholics and Protestants. Let us compare that creed which is *taught*, and that, which is *imputed*: The respective characters of the Protestant and Catholic catechisms will best appear in the comparison.

In the catechism, taught in the *English Protestant Schools*, at least from the year 1776, to this day, are the following questions and answers.

Q. In what manner do the Papists treat those whom they call heretics.

A. They hold that faith is not to be kept with heretics; but that they should be persecuted and destroyed, and that the Pope can absolve subjects from their allegiance to Protestant princes.

Q. How have Papists been guilty in this respect?

A. It is well known that liberty of conscience is denied in all Popish countries, and, that, wherever Popery prevails, they endeavour to root out all that differ from them by fire and sword.

(*l* 4) And yet we find that in France, which is a Popish country, Marshal Turenne and Count Saxe, both Protestants, were allowed liberty

(*l* 4) The Edict of Nantes was in full force when the Viscount Turenne began his glorious career, and was so for ten years after his death; however he turned Roman Catholic (I think) long before his death. Marshal Saxe was not a Frenchman: The French have no objection to have foreign Protestants in their service, Lowendhall was one (thus King William had many Roman Catholics in his

berty of conſcience, and fought with it in the ſervice of the French Monarchy, more to the honour of that crown than any ſoldiers of their time: the finances of France, in a later day, flouriſhed under M. Necker, a Calviniſt; and the Kings of France have thought it neither unſafe, nor impolitic, to eſtabliſh an order of military diſtinction for Proteſtants, in their very palace. Thoſe Proteſtants who have returned, without ſuffering, from the Inquiſition in Italy, Spain, and Portugal, will bear teſtimony to the falſehood of the aſſertion, that Proteſtants are exterminated there by fire and ſword.

When however this doctrine is once taught, the next query of the Proteſtant Catechiſm is natural enough:

Q. What then do you think of a religion, that commands and countenances ſuch practices?

A. It is, in this reſpect, not only contrary to true religion, but muſt be abhorred by all good men.

But the fact is, and we defy it to be contradicted, that the Roman Catholics are ſo far from teaching their children thoſe doctrines, repreſented to be their tenets, by the Proteſtant Catechiſm, of perſecuting and deſtroying all who differ from them in religion, that the principles, laid down in the Roman Catholic Catechiſm, are diametrically oppoſite to ſuch inhuman and unchriſtian maxims; as every

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army); but no *avowed* Frenchman, who is not a profeſſed Roman Catholic, is allowed to be an officer in their army, nor in their civil eſtabliſhment: As the people of *Avignon* and of the *Comtat* are allowed the privilege of being *cenſé* either French or Foreigners as they pleaſe, ſeveral native French under pretext of being of thoſe places, (which is not very ſtrictly examined into) enter into the ſervice as Foreigners and profeſs Proteſtantiſm; and obtain and enjoy the military order of merit (an order equivalent to the order of St. Louis) inſtituted for foreign Proteſtants only; and no *avowed* Frenchman can have this, nor an *avowed* Proteſtant that of St Louis. Mr Necker is not a Frenchman, he is a *Genevois*. But none imagine the King or Miniſtry of France ſo bigotted, as not to avail themſelves of the ſingular abilities of any man tho' a Proteſtant. Many times the phyſicians of the moſt rigid Catholic Princes have been *Jews*, tho' men were burnt in their dominions *for being Jews!* The Author might have quoted the *Duc de Sully*, in whom the talents and functions of both Turenne and Necker were united, even before the Edict of Nantes, and many other Proteſtants in the ſervice of Henry the Great before and after his change; but let it be remembered at the ſame time, what offence it gave to the whole Roman Catholic Party. *Courage!* The Engliſh Proteſtants who for pleaſure or buſineſs travel through, or reſide in Italy, Spain or Portugal have returned without ſuffering in the inquiſition (which however is not *always*, tho' very generally, the caſe as may be ſeen in Geddes's Tracts, or if you pleaſe in Triſtram Shandy) *ergo* Heretics are not puniſhed with death, there, in conſequence of the ſentence of the inquiſition! O *Lepidum Caput?* Concluſive reaſoner, e regious Logician!

every one, I am convinced, will allow, who reads it, and will acknowledge, that we cannot shew more solicitude than we do, to avail ourselves, in the very spring time of reason, to sow in our children's hearts, while soft to every impression, those true sentiments of christian benevolence to all mankind, Jew or Greek, Catholic or not Catholic, which (*m* 4), when carefully cultivated as they grow up, by instruction, watered by the dew of heavenly grace, and warmed by the sunshine of divine love, must, in the very winter of their years, produce fruits the most conducive to God's glory, and the good of society. But we shall let the catechisms speak for themselves. They are the rudiments of religion, and from them can the true tenets of religion best be known.

In the Roman Catholic Catechism, lesson 17. on the first commandment, it is asked.

Q. What is Charity?

A. A divine virtue, by which we love God above all things for his own sake, and our neighbours as ourselves, for the love of God.

Q. How does a person sin against the love of his neighbour?

A. By injuring him, or not assisting him in his spiritual or corporal necessities.

And that our children, and people, may never confine the warmth of that greatest of virtues, no less boundless in its extent than its duration, solely to the narrow limits of parents, friends, and those of their own religion, they are positively taught that it extends to those, who differ from them in religion: that is, to those very Heretics, whom we are represented as obliged, by the *tenets* of our religion, to persecute and destroy.

In the 18th lesson of the Roman Catholic Catechism, it is interrogated.

Q. Whom do you mean by your neighbour?

A. ALL MANKIND, EVEN THOSE WHO INJURE US, OR DIFFER FROM US IN RELIGION.

And that the inculcation of those great duties may not pass through the memory like those lessons, that are learnt by rote, and forgotten by disuse: The professions of Faith, Hope and Charity, were recommended to be daily recited as a religious duty, most pleasing to Almighty God.—And Benedict the XIVth. in his encyclical letter, strongly recommended them to be repeated aloud every Sunday and holiday from our altars.

But what, says the Protestant Catechism, signify all those professions and lessons, when an indulgence can break through every tie of religion, morality, and justice; What, says he, is the end of penance?

A. The correction of the sinner and the admonition of others.

Q. Is that end answered by the practice of the Church of Rome?

A. No.

(*m* 4) Admitting all this, are there not contrary doctrines? When a man is excommunicated, sentenced, &c.

A. No. The ſinner is allowed to get another perſon to do the penance for him; and, beſides, the Pope grants indulgences, whereby he remits *all* penances, not only of ſins paſt, but, ſometimes, ſuch as ſhall be committed for a great number of years to come, or during a man's whole life; and theſe indulgences, which cannot but be conſidered as licences for ſin, are publicly ſold for money.

Let us, now, compare this accuſation, with the doctrine upon this very head, of that church, that is ſo calumniated and falſified.

Q. (In the Catholic Catechiſm) What is an indulgence?

A. A releaſing of the *temporal* puniſhments, which often remain due to ſin after the guilt is remitted by the ſacrament of penance.

Q. To whom are indulgences granted?

A. To ſuch only as are in the ſtate of grace, and *ſincerely* deſirous of ſatisfying God's juſtice.

Q. Do indulgences remit ſin?

A. *No.* Sin muſt be remitted before we can gain them. (*n* 4.)

The obſervations ariſing from both theſe Catechiſms muſt occur to every man who ſees them, and their characters will be known as ſoon as their language is read. It may however be not unneceſſary to remind the reader, how evidently the *intention* of the Proteſtant Catechiſm appears from the critical moment, taken to repubiſh it (*o* 4); juſt when the Legiſlature had put ſo much confidence in the integrity of the Roman Catholics, as to frame an unexceptionable oath of allegiance for them (*p* 4); that when we were no longer

(*n* 4) Were indulgences granted *thus only*, they would not be *ſo* reprehenſible. But are they ſo in fact? And are they not naturally liable to groſs abuſe, and have they not actually been ſo abuſed, both by the Granters and the Obtainers? Vide Taxa Cancellariæ 1ſt edition printed at Rome 1517, with approbation. The Hiſtories of the Reformation, Luther's Works, Gregory 13ths. Bull on Deſmond's Rebellion, Clement 8ths. on Tyroens Rebellion, the Bull during the Rebellion in 1643, &c. &c.

(*o* 4) Were there not always new impreſſions of this Catechiſm, from time to time as they were wanted?

(*p* 4) What is there more in the oath of allegiance in James 1ſt's. time or in any other ſuch oaths from time to time, or in the Loyal Formulary in Waliſh, or in thoſe in Lord Clanbraſill's Bills in 1756-7, more than in the oath 1774? I do not aſſert there is not, or is, any difference; but if any, I want to ſee it pointed out that we may know what they have an objection to; this would help us to ſee whether the oath 1774, be ſufficiently explicit; for even the wiſdom of Parliament may not have been ſufficiently on its guard and might think ſome things are included in it, which ſome of the Takers of it, by means of evaſion and equivocation, may think are not. And poſſibly the gentlemen to whoſe conſideration the bills from Ireland are generally referred in England, though a moſt able Lawyer, may not be verſed in ſuch ſubtleties, as his

longer to be debarred from giving that pledge of loyalty, the assurance might at least be depicted as nugatory and useless. Those, who had always opposed the liberation of the Roman Catholics, envied an indulgence, that they could no longer withhold from men, whose constant and uninterrupted loyalty, had at last impressed the world with a just idea of their principles. Penalties and restrictions were found to be of no use in bringing over converts from a religion, that taught every necessary duty of a citizen. And the Legislature, wearied of *threatening* so long in vain, assumed a more benignant aspect and a milder tone, to *invite* the Catholics to that banquet of liberty that informers, and gibbets, and hang-men, could never persuade them to visit. Their affections were captivated, and they were worn by lenity to *desire*, what they could not be forced to *accept* (*q* 4).

Hitherto

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studies have not lain that way; nor could it be reasonably expected, as he is a sincere Roman Catholic, that he should be over sollicitous to point out such omissions, or think it incumbent on him to require more than the Protestant Parliament of Ireland thought sufficient, though he is a very worthy honest man, in whom the Protestants of the highest rank in England do justly confide.

(*q* 4) What a complication in this paragraph! Who opposed? Who envied? Constant uninterrupted Loyalty—to the Pretender in fact—to King George in outward profession.—Would you have us form an idea of their Principles from this? Were informers, gibbets or hangmen employed to persuade them to visit the banquet of liberty? Did they want as much invitation from the Legislature to visit that, as the Norman in Prior wanted from the Cordelier to go to the supper in Paradise? would they have us suppose that they hate the taste of liberty? That they would say with the Norman aforesaid—

> Howe'er sumptuous the treat
> *Parblew* we shall have little stomach to eat,

Would they have us say with Shakespeare,

> That vice, tho' with a radiant angel link'd,
> Will seat itself in a celestial bed,
> And prey on garbage?

(I ask pardon for such digressions but their false and insolent fustian extorts them from me, to shew them with Hamlet—

> *Nay if you'll rant I'll mouthe as well as you)*

What was it that lenity won them to *desire*, and which they could not be forced to *accept*? Was it liberty? for that is the last antecedent. What a true and respectful representation of the conduct of Government during the reigns of George 1st, George 2d, and of George 3d for 24 years! and when were Papists hanged and gibbeted only for being Papists? Produce your Martyrology and we will search the *Records* whether the *Martyrs* were not *Facinorosi et seditionum faces subdantes*, Flagitious men and secret handers about of the torches of sedition,

Hitherto there had been an exclusion of the Roman Catholics, from all assurances of loyalty (*r* 4). Reason and Popery had so long been separated; and the fashion had grown to such an height, of uniting folly and the Catholic religion, that common sense and common honesty had been held incompatible with its profession. But the world was, at last, adopting other sentiments (*s* 4): and the Legislature found it wise and expedient to grant the Roman Catholics the liberty of promising that allegiance, that they had shewn so strong a determination to observe (*t* 4). An oath was framed for them, adequate, in the opinion of that great body, to all the necessary purposes of assurance; definite and comprehensive,

Oaths are by the Roman Catholic Church considered as the most awful and solemn assurance; not to be lightly taken, nor easily dispensed with (*u* 4) When, therefore, a new and specific promise of allegiance, coupled with a positive renunciation of *tenets imputed** to our religion, was proposed to the Irish Catholics, they hesitated

(*w* 4) * It is astonishing to see with what avidity the most groundless and scandalous positions are adopted by men, whose principles lead them to wish that the scandal were true. After stating that "the papal see has always held that faith is not to be kept with "heretics, and that princes excommunicated by the Pope, may be "deposed and murdered by their subjects;" it is asked in all the authority

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(*r* 4) *The Papists were never excluded from giving assurances of loyalty but by their want of it.* THEY MIGHT HAVE TAKEN THE OATH OF ALLEGIANCE WHICH SINCE THE REVOLUTION HATH CONSISTED ONLY OF THESE WORDS. I, A. B. DO SINCERELY PROMISE AND SWEAR, THAT I WILL BE FAITHFUL AND BEAR TRUE ALLEGIANCE TO HIS MAJESTY KING. SO HELP ME GOD: AT ANY TIME WITHOUT TAKING ANY OTHER OATH OR SIGNING THE DECLARATION; and Lord Kingsland, Lord Dillon, Lord Cahir, Lord Netterville did so in the year 1715.

(*s* 4) No!—The world still thinks Transubstantiation inconsistent with common sense, and the dispensing power inconsistent with common honesty.

(*t* 4) Allegiance again! Has he not owned they were Jacobites?

(*u* 4) Is there any Church which doth not consider them as such? Which alloweth them to be more lightly taken, and doth more easily dispense with them? Speak out and say the Protestant Church, as you would here insinuate! AND MANKIND SHALL ANSWER 'TIS FALSE. If you mean not so, your pompous period is impertinent.

(*w* 4) Dr. Woodward, you Protestant Bishop of Cloyne! *Your principles lead you* to wish a certain scandal were true; and you do therefore greedily adopt the most groundless and scandalous positions. It is in the preface I believe to the English edition that

hesitated to consider the nature of that engagement they were desired to enter into, and the foundation of those principles they were desired to disclaim. Many persons, of very nice and over-scrupulous consciences, hesitated on the brink of an engagement, that must pledge them for ever. And it became necessary for the divines of the

thority of Italics, " *does not our government think it necessary to re-* " *quire a declaration of abhorrence of the principles above stated, as* " *known Popish doctrines?*" I answer NO. The legislature with somewhat more humanity, and I dare say with no less wisdom, nor worse information on the subject, than the Right Reverend the Lord Bishop of Cloyne, declared that these opinions were only *imputed* to us.

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this passage is to be found, and I apprehend he there speaks of the English Government, with which I am not sufficiently conversant to know to what he particularly alludes. However it is to be observed that *our* Legislature does not say, these opinions were *only* imputed to them (*innuendo falsely* imputed to them) as this author states it, it says barely, *imputed* to them, vide act; without entering into the question whether truely or falsely imputed. But does not the whole tenor of our laws, evince that they were considered by them as known Popish doctrines?

The Bishop of Cloyne's *elegant Terseness* as it is called in note, App. No. 5, in using the word *Popish*, seems to be sufficiently authorized by the language of all our statutes, both here and in England, which employ the words *Popery*, *Popish*, *Papist*, invariably, never *Roman Catholic*. In some of the earlier statutes we find the word *Romish*; this statute, and those subsequent, say *Popish* and *Papist*. But *now* it gives offence, that a Legislator should use the language of our laws; and such offence, that it must be publicly reprehended without any previous private admonition; for I dare say Dr. B. did not mention it to his brother between them alone as St. Paul directs: Shortly we shall not dare to say, we are of the the *Reformed* religion, or that we are *not heretics*; and the old French quartain put about the dead dog's neck at Paris will be reversed;

Pour avoir aboyé Un Ministre
M'a mis en piteux estat,
Avant hier je mordis un Prestre,
Mot ne me sonnoit on pas.

I worried a Bishop—and nothing was said;
I bark'd at the Papists—and here I lie dead.

the Catholic Communion to explain to their flock the propriety of ſuch a promiſe. That ſuch an explanation might come with the higheſt authority, the Parochial Clergy were inſtructed to recommend the meaſure, by the Titular Biſhops of the province of Munſter (*x* 4). My titular ſuffragans and I met near Cork on the 15th of July 1775, and the following unanimous reſolve was the reſult of our deliberations on the oath of allegiance, then the object of our enquiry.

DECLA.

Theſe things may ſeem trifles, but they are of evil tendency, as heedleſs perſons are hence led to conſider a *certain claſs* in a more favourable light than they deſerve: Mr. Addiſon remarks, that a woman who would ſtart at the word *adultery*, may be reconciled to hear of *gallantry*; and that a girl who would ſhudder at being called *whore*, may think *miſtreſs* a pretty name.

(*x* 4) The act paſſed in ſpring, and took place 1ſt June 1774: It is to be preſumed the Papiſts had conſidered it *ſince* it paſſed, and even *before*, for we are told they were won by lenity to *deſire* it: Yet they *heſitated* to enter into that engagement, and to diſclaim thoſe principles; they *had* therefore, or *had had* ſome *doubts and ſcruples* about them; and they heſitated ſo ſtrongly that it became neceſſary for their Prieſts to explain the *propriety* of the promiſe, and for the Titular Biſhops to inſtruct *them* to recommend the meaſure; and they heſitated ſo long, even after this, that not one of them took the oath for 13 months after. They are not blamed for not taking an oath they had doubts about, till thoſe doubts were removed; in this they were highly laudable; but ſurely it hence appears that they had doubts pretty difficult to be ſolved—or elſe that they were not ſo very ſolicitous to give an *early* teſtimony of their *allegiance*, as the preamble of the act (*perhaps* without *ſufficient* ground) ſuppoſes.

DECLARATION

In July, 1775.

WE, the Chiefs of the Roman Catholic Clergy of the Province of Munster, having met together near Cork, have unanimously agreee that the Oath of Allegiance proposed by act of Parliament anno regni Decimo tertio et quarto Georgii tertii Regis, *contains nothing contrary to the principles of the Roman Catholic Religion.**

Given near Cork, this 15th of

July, 1775.

JAMES BUTLER,
DANIEL O'KEARNEY,
JOHN BUTLER,
MICHAEL PETER M'MAHON,
MATTHEW M'KENNA,
WILLIAM EGAN,
J. MOYLAN.

The

* There may be room for equivocation here. They declare that the oath contains nothing contrary to the principles of the Catholic Religion; inquiry must, in the first place, be made how the oath may, by *able* men, be interpreted; next,—the Catholic Religion,—Articles of Faith, say they sometimes, are only constituted by Canons of General Councils. What are Canons? What Councils are General? Is the 4th Lateran, one? These doctrines are not contained in such, (say they, we say they are, or necessarily follow from them) therefore not Articles of Faith. *But are no other things believed and adhered to, and productive of mighty effects,* but *such* Articles of Faith?

The ſame principle was generally adopted throughout Ireland. The Roman Catholics, lay, and clerical, ſecular, and regular, flocked to give an unequivocal and decided aſſurance of loyalty (y 4), that it has been the uniform character of their religion, in the worſt of times, to inculcate with aſſiduity.

But

(y 4) Did the Titular Biſhops of the other Provinces omit any ſuch declaration? Were we to form a judgment of the loyalty of the Papiſts, or of their zeal to declare it, from their behaviour on this occaſion, it would not be favourable—it would be as alarming as *what their ſentiments are*, can be. The act took place 1ſt June 1774, not one ſwore it till 8 July 1775, when one Eſquire, two merchants, three apothecaries, and three farmers about Enniſcorthy took it; and not one ſince 19 May 1776; Dr. James Butler of Thurles himſelf took it not till 15 December 1775, Dr. John Butler of Cork (Lord Dunboyne) not till 1776; Dr. Carpenter of Dublin took it not at all, nor Dr. Troy of Oſſory, nor *one ſingle Prieſt in Dublin*. Of the Titular Biſhops only four, Caſhel, Cork, Leighlin and Kerry; only three of Munſter; of the whole Clergy in Ireland 119; of clergy and laity in the city and the county of Cork 128, in the whole province of Munſter 783, in Dublin 100, in the kingdom of Ireland about 1531; whereof 87 are ſtiled Eſquires, and many in very low ſtations, labourers, ſerving-men, and a ſcore who could not write their names; this is mentioned leaſt it ſhould be ſaid it was only perſons of ſome ſubſtance, thought it neceſſary to take it, and not the poor common people. *In fourteen counties not one.*—Of the whole Clergy in Ireland 226 have regiſtered purſuant to the act of 1782, which exempts thoſe regiſtring from certain penal laws; which thoſe who have not regiſtred are ſtill ſubject to: of thoſe 84 in the dioceſe, and almoſt all in the city of Dublin; in the county of Cork only 14, whereof 10 in the city, not one of theſe 10, a pariſh priieſt; in the dioceſe of Dromore only the Biſhop. Of Biſhops, only Carpenter of Dublin, Butler of Caſhel, Butler of Cork, Philips of Achonry, Caulfield of New Roſs, Lennan of Dromore, Conway of Limerick, Troy of Oſſory, only three of Munſter. In eleven of *our* dioceſes not one Prieſt. No *Primate of all Ireland*; no Metropolitan of *Connaught*. If I have made any omiſſion, it is unintentionally, and can do no harm, for the liſts are publiſhed. This paucity may be owing to the inattention or negligence of thoſe who have not taken the oath or regiſtred, though well affected; or to the neglect (and a very culpable one it would be) of the proper officers in not making a return; but ſurely it is not unfair to judge, that after making all ſuch allowances, there are *many* who have *not taken the oath*, *becauſe* all or part of it is *contrary to their Tenets* (for which they are highly laudable) and who have not *regiſtred*, *becauſe* they do not chuſe that government ſhould be ſo well informed of their numbers, their ſituations, their removes, &c. and with Dr. Burke, the late, honeſt, plain ſpoken, Titular of Oſſory,

But it could not be expected, that individuals would be wanting, to turn even this circumstance against the Roman Catholics. Their conduct was pointed out as at variance with their principles, and the proposition, that the "men were better than their Tenets," was enforced, tho' in other terms, to pay a *sneering* compliment to *duplicity*. In no other light can it be taken. A man who *professes* and *teaches* principles adverse to morality, and pregnant with such mischiefs as are attributed to the Roman Catholic Tenets, must be, in keeping them, a villain, and in their violation, while he professes them a part of his belief, he can be at best but a hypocrite in morality, and an apostate to his religion.

It involves a contradiction that common capacities may not always be able to reconcile, to assert that a man may be estimable for a virtuous adherence to a system of dissimulation, and treachery, of blood and persecution. It is a monstrous paradox, to say that he can be a truly good man, who holds himself obliged upon principle, to violate all the obligations of honesty, and that he is a safe subject, who considers himself free from all the bonds of allegiance. Such, however, have been the compliments paid to individual Roman Catholics, at the expence of their reason, and their religion. When, therefore, the Roman Catholics throughout Ireland (z 4), under the sanction of their clergy, took the oath of allegiance, a report was quickly circulated that the superiors of that communion, in the province of Munster, were all excommunicated by his Holiness for countenancing such an impiety.

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think that the demand of such oath and registry is a persecution. Should it be said that much greater numbers have taken the oath since 1778,—tis true;—but this does not, or if every Papist in Ireland should *now* take it, would it contradict what I said, that they were not very anxious to give an *unequivocal* proof of their loyalty, when so very few took it in four years, in which it continued unequivocal, *in which there was nothing to be got by it*: Since that, it *qualifies to take long leases, and to purchase lands*, and accordingly sixteen or twenty thousand they say have taken it since that time: We don't blame them for this, self interest is a greater *stimulus* than a desire to express duty; but don't let them be constantly puffing their *loyalty*, it is *nauseous*, and looks *suspicious*.

(z 4) Vide the lists and the note (y 4) immediately preceding. How then *dare* this author say that the *Roman Catholics throughout Ireland*, which implies the bulk, the majority, or at least a great number of them, *in all parts of Ireland*, took the oath *when not one in three hundred of the men grown* took it before 1778,—and under the *sanction of their Clergy, when probably not a twelfth part of them, and only four out of 26 of their Prelates, and of the Munster Prelates who attested the lawfulness of it, only three took it before* 1778; and at the time of this report *not a single Papist in the kingdom had taken it.*

impiety (*a* 5). This report, circulated with great induſtry, derived ſome ſhew of plauſibility from ſome animadverſions, that had been formerly written by Father Burke, the (Titular) Biſhop of Oſſory, in which he violently reprobated an oath of allegiance, before required of the Roman Catholic Clergy, by an act of the year 1756—7, for regiſtering Popiſh Prieſts. And it was not a little aided by the whole tenor of a book, written by that clergyman, entitled Hibernia Dominicana, and a ſupplement thereto, publiſhed in the year 1772.

To counteract any ill effects, this work might ever have, on the ignorant, and ſuperficial, or the appearances, with which it might juſtify harſh inſinuations againſt our ſincerity, the (Titular) Biſhops of the Province of Munſter, aſſembled at Thurles in July 1775, and after mature deliberation, came to the following unanimous reſolution, entirely diſcountenancing the principles of that author (*b* 5).

DECLA-

(*a* 5) This report was unknown to Proteſtants, it was therefore circulated among Papiſts themſelves; and from this two things are to be collected, firſt, that it was the opinion of the people, that taking the oath was an impiety worthy excommunication; and next, that this impiety was countenanced by the Titular Biſhops of Munſter *only*, for they *only* were reported to be excommunicated. This report was circulated with great *induſtry*, by whom? Not by the Proteſtants;—probably by thoſe Papiſts who had not taken the oath, of what rank ſoever they were. The author admits that the writings of Father Burke made plauſible, and not a little aided, ſuch report, that is, that from *them* it appeared that *they deſerved* to be excommunicated. He was a man of equal ſtation and authority in their church, and for ought appears, of greater learning and celebrity than any of them: He was elected Hiſtoriographer of the Dominican Order; his book was allowed and received more than common approbation from their ſuperiors; it was ſubſcribed for by many of the Popiſh Clergy, in Ireland and by few or none elſe. It was not an old book buried in duſt and oblivion, as it has been repreſented, but very recent, well known among them, even among the ignorant and ſuperficial, capable of producing effects among them, and the appearances of it might juſtify inſinuations againſt their ſincerity.

(*b* 5) But what authority had the Titular Munſter Biſhops to condemn or cenſure the book of Burke, a Biſhop of another province, no ways under their juriſdiction? It is ſaid that great numbers were imported into Ireland, and there without doubt circulated, and that eleven of them were ſent to the chapel in Liffey-ſtreet, Dublin; ſome ſay it was printed in Kilkenny. The very words of the cenſure itſelf declare, that it had *occaſioned great uneaſineſs and alarm amongſt the people*, therefore it was well known to them. Obſerve, this report

DECLARATION

OF THE

TITULAR BISHOPS,

In July, 1775,

On occasion of the Hibernia Dominicana.

A BOOK, under the Title of Hibernia Dominicana, having been printed, as appears from its title page, in the year 1762, and a supplement thereto, published in the year 1772, as appears also from the title page thereof, the general uneasiness and alarm, which the said book and supplement occasion amongst our people, have put us under the necessity of attentively examining them. We *have* attentively examined them, and we think it incumbent on us to express, in the most decisive manner, and with all sincerity, our *entire disapprobation*

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of excommunication could not be circulated *after* the Papists had taken the oath; only ten of them had taken the oath, and that not in Munster, but in Leinster before 15 July, the date of the Munster Bishops declaration, that it contains nothing contrary to the principles of the Roman Catholic religion (*this is all it says, the taking it is not enforced or inculcated,*) and the censure on Bishop Burke, subsequent to the report, was made *after mature deliberation* within a fortnight; therefore the report must have been, that those who took, or countenanced taking the oath, *would be* excommunicated by the Pope, *because* it was contrary to the doctrines of the Church of Rome, (as set forth by Burke a Bishop Ghilini a Bishop and Nuncio superintending the affairs of Ireland, and many others in times not very remote, and expressly treating of the same question) embraced by the Roman Catholics of England and Ireland, ever since the schism under Henry VIII. The censure seems worded so as to afford room for various equivocations, as any one by comparing it with other declarations where such equivocations have heretofore been practised, may easily discover. It is qualified throughout with *becauses,—we acknowledge,—unnecessary scruples,—maxims that we reject.*—It doth no where expressly declare that the doctrines, the maxims contained and maintained in the book, are false, either with regard to religion or allegiance.

approbation of them, *because they tend to weaken and subvert that allegiance, fidelity and submission, which we acknowledge ourselves to owe from duty and from gratitude to his Majesty King George the Third*— because they are likely to disturb the public peace and tranquillity, by raising unnecessary scruples in the minds of our people, and sowing the seeds of dissentions amongst them, in points, in which, they ought, both from their religion and their interest, to be firmly united. And because they manifestly tend to give a handle to those, who differ in religious principles from us, to impute to us maxims that we *utterly reject, and that are by no means founded in the doctrines of the Roman Catholic Church.* For these reasons we consider it as our indispensible duty, not only to manifest, as we hereby do, our own sentiments, but also to inculcate the same as far as in our power, to those under our care, but particularly our clergy, to whom we most earnestly *recommend, that they be careful and zealous upon all occasions, to instruct their flocks in those unfeigned principles of allegiance, fidelity and attachment, to the person and government of our gracious Sovereign his Majesty King George the Third, which we, conforming ourselves to the doctrine of our holy church, and to the repeated instructions of the supreme pastors thereof, have heretofore constantly enforced, and will always, with God's blessing, continue to enforce by our words and our example.*

Given under our hands, in Thurles, this

28th day of July, 1775.

JAMES BUTLER,
JAMES KEEFE, (Titular Bishop of Kildare, then casually at Thurles.)
WILLIAM EGAN,
F. MOYLAN,
DAN. O'KEARNEY,
JOHN BUTLER,
MAT. MAC. KENNA.

When

When ſo much had been done at home, toward the reſtoration of peace and confidence, I conceived, from the active part I had hitherto taken, in ſhewing the connection of my religion with allegiance to my King, that it was my peculiar duty to ſtate to the See of Rome, my own and my brethren's conduct, in diſclaiming every idea of the Papal ſupremacy in *temporals*, and of reprobating, in the moſt unequivocal terms, thoſe other obnoxious doctrines, ſo unjuſtly attributed to my religion. This I accordingly did in a letter, which I addreſſed to Cardinal Marefuſchi, Protector of Ireland, of which the following is a copy:

Thurlesiæ in Hibernia, die 30mo. Sep. 1775.

Eminentissime Cardinalis,

GRATISSIMÆ semper nobis fuere litteræ Eminentiæ vestræ at nullæ unquam majorem voluptatem attulerunt, quamquas ultimo ab eminentia vestra accepimus. Illæ nobis occasionem diu optatam dedere nostrum in te studium at animi obsequium testandi, dum juvenem illum meritissimum cui nihil honorificentius contingere potuit quam a te laudari, Eminentissime Cardinalis ambabus ulnis amplectimur, interque sacerdotes nostræ diocesis Casseliensis libentissime annumeramus. Dolemus quidem penes nos non esse de pinguedine terræ, æque ac de rore cœli, illi promittere, quodque illi meritis parem fortem sperare in hisce partibus non liceat. At vetat status hujus afflictæ nostræ ecclesiæ, vetant modicissimi parochiarum nostrarum proventus, quique parciores in dies et dies evadant quamdiu urgeri non desinunt leges illi pœnales, sub quibus a tam longo tempore gemimus. Solamen quidem foret et meritum si religionis causâ talia pateremur; at non nostræ fidei dogmata aut morum principia has in nos acuere leges, sed quædam scholarum placita intemperantiori zælo nimium apud nos propalata. Hæc cum nostra religione arctissime connecti falso autumant Hæretici, et hac de causâ eam ut Regum et subditorum tranquillitati inimicam aversantur. Horrescunt audire quod fides non sit servanda hæreticis; quod reges excommunicati possint occidi a subditis, quod summus Pontifex possit illos absolvere * seu dispensare a juramento

* A moment's reflection will shew in the most evident light, the palpable absurdity of that so much boasted accusation against the Catholics, that they believe a power in the Pope to dispense subjects from their allegiance to Protestant sovereigns.

It is a received principle of the Roman Catholic religion (*d* 5), that obedience to our *lawful sovereigns* is as strictly commanded by the law of God, as the obedience to our parents; it being included in the same commandment. No power upon earth can dispense children from their obedience to their parents, in all that is not contrary to the law of God, let the religion of the parents be what it may; and it is equally certain that, in what is contrary to the law of God, the law

(*d* 5) The Note sets forth the true doctrine, which we hold; but it is directly contrary to some of the doctrines held by the Pope, which we readily allow to be palpably absurd and contradictory; but that will not prove he does not hold them, against the most express testimonies that he doth.

Thurles in IRELAND, *Sept.* 30th, 1775.

Most illustrious Cardinal,

YOUR Eminence's letters have been always most pleasing to me, but none ever gave me more satisfaction than the one I lately received, as it afforded me the long wished for opportunity of proving how much I was sincerely devoted to your Eminence, by my willingness to receive among my clergy that most worthy young man, who could never be more honoured than by the praises your Eminence gives to him. I am sorry indeed, that it is not in my power to promise him as much of the fat of the land, as of the dew of Heaven; and that I cannot assure to him a livelihood here, equal to his merit. But this is what is not to be hoped for in the present afflicted state of religion in Ireland; the revenues of each parish are too inconsiderable, and will be daily more and more so, as long as those penal laws continue in force against us, under which we have so long groaned.

It would be a subject of consolation to us (*c* 5), and of merit, were it on account of our religion that we endure what we do from them. But they are not the principles of our faith, or morals, that have edged such laws against us; but certain scholastic opinions

of God far from enjoining obedience to parents, strictly forbids it: consequently, children have no need of a dispensation in order to refuse obedience to unlawful commands. We are to reason by analogy on the obedience of subjects to their sovereigns. Let the sovereign be of what religion he may, as long as his political mandates are conformable to the political law, and not repugnant to the law of God, his subjects are bound to obedience. And I apprehend that no Prince, who does not aim openly, and decidedly, at arbitrary power, and for the worst purposes, will feel many apprehensions on account of a religion, that enforces obedience on such terms.

(*c* 5) Dr. Butler here acknowledges to Cardinal Marefuschi the Protector of Ireland, or, as he afterwards styles him, the Superintendant of the Catholic Church in Ireland, that their sufferings are not on account of their religion, (that is, their articles of belief entirely unconnected with allegiance to their Prince, &c.) but of what he calls scholastic opinions, which, note, he calls not false, but says that from *too intemperate zeal*, they have been *too much divulged among st us*. But what are scholastic opinions? In one sense, what are disputed in the schools, and have not been determined by authority: But what we dread are not in this predicament, they have been confirmed by General Councils and Popes, and declared so

ramento fidelitatis ſervando; quod habeat etiam poteſtatem diſponendi de regnis chriſtianis: Horreſcunt et religionem talibus ut credunt fretam principiis. Hæc ab illorum animis amovere prejudicia cupientes præſules hujuſce noſtræ Momoniæ provinciæ, unanimiter et publice declaverunt formularium allegianciæ a parliamento hujus Regni editum, in quo præfatæ opiniones a nobis abjurari exiguntur, nil continere Catholicæ fidei principiis contrarium, et conſequenter tales opiniones nullatenus ad fidem noſtram pertinere; (*e* 5) faxit Deus ut hæc noſtra declaratio eorum aperiat oculos cumque perſuaſum habuerint nil ſibi a noſtra religione regum auctoritati aut ſubditorum tranquillitati timendum, eodem nos ac alios regni hujus incolas favore proſequantur. Interim ut Eminentiam veſtram in bonum hujus noſtræ afflictiſſimæ eccleſiæ diu ſalvum et incolumem ſervat Deus optat precabiturque

Eminentiſſime

Cardinalis Hiberniæ Protector Eminentiæ

veſtræ obſequentiſſimus Famulus,

JACOBUS BUTLER, &c. &c. &c. &c.

ſo to be by Congregations, Univerſities, Cardinals, Biſhops and Nuncios; and carried into practice and execution in many inſtances: In another ſenſe, ſcholaſtic opinions may mean Tenets relating to belief only, and not affecting the conduct in temporal matters: But much leſs are the dreaded doctrines in this predicament, they all relate to practice in temporals.

Carefully obſerve, this is a full acknowledgment of what we have always truely afferted, and they have often falſely and obſtinately denied, that it is not out of malice, or bigotry, or averſion to their faith, or to them on account of it, but out of *fear*, and for our *ſafety*, that the penal laws were made; not becauſe *they believe* tranſubſtantiation, but becauſe *we believe they would depoſe our King, and ſtrip and deſtroy us.*

(*e* 5) Vide note on Declaration.

opinions, which, through too intemperate a zeal, have been unhappily ſpread amongſt us; theſe, being looked upon by our diſſenting brethren as a part of our creed, excite their averſion for a religion ſo inimical to the ſafety of kings, and tranquility of ſubjects. They cannot but be alarmed to hear that faith is not to be kept with heretics; that kings excommunicated, can be murdered by their ſubjects; that the ſovereign pontiff can abſolve (or diſpenſe) them from their oaths of allegiance; that he has even a power of diſpoſing of chriſtian kingdoms. And they are terrified by a religion which they believe fraught with ſuch principles.

We, the Prelates of Munſter, deſirous of removing ſuch prejudices from their minds, did unanimouſly and publicly declare that a formary of allegiance, enacted by the parliament of this kingdom, in which thoſe opinions are required to be abjured by us, contained nothing contrary to the principles of our belief, and, of courſe, that ſuch opinions, by no means, belonged to our creed.

God grant that this our declaration may ſerve to open their eyes, that when they ſhall have found that there is nothing feared from our religion dangerous either to the authority of kings, or the ſafety of ſubjects, they may ſhew us the ſame favour, as they do the other inhabitants of this kingdom.

In the mean time, that your Eminence may live long for the good of this, our moſt afflicted, church, is the wiſh and will be the prayer of

Moſt illuſtrious Cardinal Protector of Ireland,

Your Eminence's

Moſt obedient Servant,

JAMES BUTLER, &c. &c. &c.

So

So decided an avowal on my part; not in a private or confidential manner; with no kind of secrecy: not to a private person: but officially and openly to the person whose peculiar station it was to superintend the Catholic Church in Ireland, would, one might imagine, be sufficient to free us, who had stepped forward to shake off those unworthy appearances in which we had been dressed, from any charge of heterodoxy, and, by consequence, would remove from our Church and its tenets the imputation of those doctrines. This hope was still further strengthened by the answer of Cardinal Marefuschi, in his official character; an extract of which follows:

Extract of a Letter from Marefuschi, Cardinal Protector, and entrusted with the Superintendence of the Ecclesiastical Affairs in Ireland.

TRANSLATION.

Most Illustrious and Most Reverend Lord,

I RECEIVED your letter of the 30th of last September, *which was most acceptable to me*, both on account of *the very great love* you shew for GOOD MORALITY AND SOUND DOCTRINE, and for your humanity and goodness to the very deserving young man A. B. whom I had most earnestly recommended to your friendship, for which kindness I return you many thanks.

That no fault may be imputed to the translator, the reader may see the original as follows:

Datum Romæ decimo quarto Novembris, 1775.

Illustrissime et Reverendissime Domine,

PERVENERUNT mihi Litteræ Dominationis vestræ Illustrissimæ diei 30 Septembris proxime elapsæ *quæ mihi acceptissime fuerunt*, et quia *summum amorem* ostendis erga bonos mores et SANAM DOCTRINAM atque ob humanitatem tuam et benevolentiam erga optimum virum A. B. quem meis officiis caritati tuæ enixe commendaveram; de qua urbanitate tuâ tibi debitas gratias reddo. ——

It would be too absurd to suppose, that so marked an approbation of that, which is called *Sana Doctrina*, should be bestowed *by such a character*

character, upon any profession, inimical to the obedience we owe the Holy See, or inconsistent with our faith. (*f* 5)

To strengthen, as much as possible, the general character of our religion; to shew that the conduct of the Irish Catholics, in taking the oath of allegiance, was not adopted on any ground of selfish policy, justified by deceit and dissimulation; to prove, that the principle of obedience to the Established Government was not peculiar to the Irish Catholics, and professed merely to obtain immunities, that had been denied upon any other terms.—To justify our religion against the imputation of *tenets*, that she disowned.—(*g* 5) We addressed the

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(*f* 5 What the duty or power of Cardinal Protector is, I know not; if he hath either coercive or directive power, I think Dr. B's conduct very deficient and faulty towards him, first for not applying to him before they approved the Oath, nay as soon as the Act passed; and next for giving him such slight and unprecise information concerning the oath, and their approbation of it, and the Act; he should have sent copies of them at least; and as he had heard a report that he and the rest of the Munster Prelates were, or were to be, excommunicated by the Pope, for their impiety on this head, it would have been fit to enter into some discussion, and to shew the Cardinal wherein and why they conceived the doctrines of Burke, &c. to be erroneous. Perhaps it was this slight letter made his Eminence return a still slighter answer, but neither letter nor answer have any official appearance, rather of civil intercourse between friends. Some poor Irish student at Rome had got a recommendatory letter, from the Cardinal Protector of Ireland, to the Arch-bishop of Cashel, for some preferment in his diocese; he, in answer, says, he's glad of an opportunity to oblige his Eminence, he'll give him a living, and wishes it was better, but that can't be while they continue to groan under the Penal Laws (i. e. until they can get the tythes); and from hence he goes on very naturally to tell him, what they had been doing to get rid of them, and that he hoped in God they should succeed by and by: The Cardinal replies—as we see; and spends more than twice as many words about the young man as about any thing else: This is not the way in which any person gives his approbation on any subject, much less on one of this importance, and what had been so long, so often, and so warmly agitated.

(*g* 5) The opinion of the Sorbonne was so well known before by their determinations here quoted, and others, that it was unnecessary to ask them any questions; but is there any, and what legal authority vested in that Faculty by the Church of Rome? (what there may be by the King or Laws of France, is not to the question, yet queré even as to that) When they act as a body, do they authenticate their acts by a seal? *This* seems only a case stated for the opinion of a number of divines, and their answer to it. By the doctrine of probabilities, a man may act according to the opinion of two or

the Sorbonne at Paris, to know *their* determination on the consistency of the oath of allegiance with the principles of our common faith. That learned body sent, in consequence, their decision, a copy and translation of which are in the Appendix, (No. 5.) justifying, in the most explicit and unequivocal terms, the measures we had pursued.

But, asks his lordship, the Bishop of Cloyne, *who is the authorized voucher of the decrees of the Gallican Church*, (and who, he would, I suppose ask, is the voucher of the Sorbonne) to be set in opposition to the Pope's legate? I will ask what is the opinion of Doctor Burke (*h* 5), in opposition to the *united decision* of all the Titular Bishops of Munster, with the subsequent concurrence of all the Irish Titular Prelacy, and in opposition to the SUPERINTENDENT OF THE CATHOLIC CHURCH in Ireland--a person higher in dignity, relatively to us, than the legate at Brussels? And what is the opinion, *imputed* by the Right Reverend the (Protestant) Lord Bishop of Cloyne, in opposition to the positive and well known doctrines of the whole body

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or three Doctors, even tho' a greater number are (or as some have said tho' he himself is) of a contrary opinion. How far this doctrine might operate in this case may be worth clearing up. Was there no way of getting a declaration of the doctrine of the Church from the Pope, the Consistory, the Propaganda, the Cardinal Protector, or whatever Person or Tribunal is competent for that Purpose? Would *any* of them, would *all*, have signed the answers of the Sorbonne Doctors? Is not the subject of sufficient importance to require it? to clear themselves from the imputation of holding what all others look on with detestation and dread. *Let them do it now*, and at the same time vouchsafe to tell us, how they reconcile this with the fourth Lateran, Popes bulls, &c. or if it cannot be reconciled, plainly renounce those doctrines therein contained, which they declare they do not now hold. Letters go to, and return from Rome in a short time; Dr. B's is dated 30th September, and Card. Marefuschi's answer 14th November; but it is well known the course of the post is much quicker.

(*h* 5) We rely not on, nor appeal to, the authority of Dr. Burke or Doctor Butler either, but on the authorities they produce, and on those also which we discover by our own researches. We think that Doctor Burke has proved what he asserts, and that Doctor Butler has not. When and how did the Irish titular prelacy concur with the united decision of all the Munster Bishops? and how did they manifest their concurrence? We have reason to believe they did *not concur*—*they* have not published such declarations, *they* were not reported to be excommunicated; very few of *them* have taken the oath or registered, nay, not one half of the *Munster Prelates* have taken the Oath, or registered. What is the authority of the Superintendant of the Catholic Church in Ireland? Whatever it is, Card. Barbarini had it in the last century, who did not agree with such pretended doctrines. v. Walsh.

body of (titular) Bishops, asserted by them, and not rejected by the See of Rome, but on the contrary, allowed to be the *tenets* of their religion?

When, however, we have denied the power of deposing temporal sovereigns, as it is asserted by Doctor Burke, to belong to the Pope, it has been answered, that Popes have yet frequently excommunicated, and deposed temporal Princes. Very true. A bull of this kind was published against Queen Elizabeth by Pope Pius the Vth(*i* 5). But what did her Roman Catholic subjects upon it? they prayed for her and fought for her. And afterwards in an insurrection headed by Westmorland and Northumberland, the greater part of the noblemen and gentlemen (for the clergy could not venture to assemble) voluntarily made a tender of their lives in defence of her Majesty's title, against the Pope himself, or any Popish invader, and did actually join her standard to oppose those two noblemen, though they were both Roman Catholics(*k* 5).

(*l* 5) About the time of our addressing the Sorbonne it was discovered, that a report had certainly reached to Rome, that the Irish Catholic Clergy, by their oaths of allegiance, had shaken off the Pope's supremacy in *spirituals*, a confusion of which, with *temporal allegiance*

(*i* 5) Two things are *insinuated, tho' not asserted* here, 1st. that Doctor Burke alone asserts the power of deposing Sovereigns to belong to the Pope, and 2dly that Pius 5th's Bull against Queen Elizabeth, was the only instance of its being put in practice (for if not the *only*, why mention it *only*) but the contrary of these insinuations is true; the power is asserted by Councils, Popes, Cardinals, Casuists, &c. and it has been put in practice by many Popes. The instances are too many and too well known to name, and lists of both kinds have been produced. v. Walsh, in app.

(*k* 5) The Earls of Westmorland and Northumberland were excited to this rebellion by the Pope's Bull. If some of the noblemenand gentlemen (for who can say whether they were the greater part) did make a tender of their lives, and join her standard, it only proves that their good principles of allegiance got the better of their bad principle of obedience to the Pope; or that they acted from interest against principle; nor was it ever said that all Papists, in all places, and at all times, allowed this power to be in the Pope, and acted in strict conformity thereto; there are numberless instances to the contrary; but nothing here proves that the power is not asserted and claimed as above, and practically assented to by many. If the Clergy could not venture to assemble, they might have signified their loyalty singly; but there was no need of this, all Governments are glad, often too glad, when their old enemies shew any *signs* of becoming their friends.

(*l* 5) There must be some anachronisms or other mistakes or misrepresentations in the relation of this transaction. The answer of the Sorbonne is dated 6th November, 1775, they had received the

allegiance had occasioned the mistakes of Monsignor Ghilini before. Anxious to convince the Holy See, that no such intention was had, and that no such consequence was involved, in our conduct, I addressed another letter * to the Præfect of the Sacred Congregation, for the purpose of suspending the judgment of that body, until a formal memorial could be forwarded to Rome, explaining the wide distinction taken between *temporal allegiance* to the sovereign; and *spiritual obedience to* that See.

(*m*5) Having sent this letter, I transmitted in the month of September following, a long Memorial to the Sacred Congregation, stating the whole

* See Apppendix No. 6.

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first consultation about ten months before; they must have taken some little time to answer the second: The Roman Catholic Clergy must therefore have sent the first in the end of 1774, at that time not one Papist had taken the oath; nor was it till seven months after that the Munster Prelates signed their declaration for the oath, and against Doctor Burke's book? till then the Roman Catholics did not take the oath. It is therefore impossible that about the time they applied to the Sorbonne (i. e.) the end of 1774, it could be *discovered* that a report had certainly reached Rome, or that such report *could* have reached Rome, or could have existed, that the Irish Catholic Clergy by their oaths of allegiance *had* shaken off the Pope's supremacy in spirituals, *for they had not taken the oath:* It is very probable indeed that they had, long before, *certain intelligence* at Rome that the act proposing the oath, had passed, that they might think some of the Clergy would take it, and also that they might apprehend they would thereby shake off the obedience *they think* due to the Pope; and this not from confounding spiritual obedience and temporal allegiance, but because they think the latter dependant on the former, and both due to the Pope The Court of Rome and their Nuncios are not so deficient in knowledge or acuteness, as not to be well acquainted with the distinction between them, but they maintain that the Pope has dominion direct or indirect over all Christian Princes, States, and People, and the whole Earth, by *divine* right, that the two swords, Spiritual and Temporal are committed to him, that all Princes must use the second in obedience to the first, (I omit mentioning their claims to all Europe by temporal rights) in this lies their mistake, and that of De Vecchii, Respigliosi, Ghilini, Nuncios, not in confounding them, but in ascribing to the Pope a power in temporals, which many good Roman Catholics deny, tho' they admit the other: We do justly deny both.

(*m* 5) This Letter should have been sent soon after Doctor B. heard of the Report at Rome, as its purpose was to suspend the Judgment of the Propaganda, till a formal memorial could be sent, explaining the *wide* difference, &c. Did the Pope, the Consistory, the Propaganda, stand in need of an explanation, from seven Munster Bishops,

whole rise and progress of all the business of the test-oath: sent the formulary of the test, as prescribed by Parliament, and a faithful translation of it into Latin; accompanied by the declaration of the (titular) bishops of the province of Munster (as stated p. 43) translated likewise into Latin, in which it appears that they found nothing in the oath contrary to the principles of the Roman Catholic religion. I recited the peculiarity of our situation, in which it was necessary to come to a speedy resolution on the consistency of the oath of allegiance with the Catholic Faith, on account of an order made, I believe, by the House of Commons, that lists of those Roman Catholics, who should take the oath, should be presented to the Parliament at its (then) next meeting, in the following October, and the resolve of the (titular) Bishops was entered into but the July before; so that it was impossible to lay the matter before the sacred congregation, and to have an answer within the time: and it need not be told how

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of a question so long and so often agitated? Would the Congregation have proceeded to Judgment without due information?—— In September following (i. e.) 1775, he sent the memorial—I wish he had given us a copy of it—Was it impossible to lay the matter before the Congregation and to have an answer to it in fifteen months, for so long it was from the Act's passing, to the Munster Prelates declaration. If so, alas, little benefit is it to the faithful in Ireland to have *a living guide!* If their situation made it *necessary to* come to a speedy resolution, *Ce'toit une necessité qui ne necessitoit pas*, unless fifteen months is speedy, nay nineteen ——If such order of the House of Commons was made; it does not appear to have been obeyed; why it was not might be worth enquiry: Perhaps it was because when that order must have been made, that is before the rising of the House in Spring 1775, not one Papist had taken the oath, and at their meeting in October, not a hundred had taken it, of which small number Doctor Butler was not one.——If it need not be told how ill and suspicious an apppearance it would carry, if none of the Roman Catholics should have *then* taken the oath, so carefully framed and adapted to their religious tenets, what appearance *doth* it carry, and what shall we say when we find that in four years time so few have taken it? What but that it contains something not consistent with the religious or with the political tenets of those who had not taken it in 1778, which are all the Papists in Ireland except about 1530; or at best that they were not very solicitous to *testify their loyalty to King George* or their *abhorrence of the doctrines imputed to* them, or to remove *jealousies* which have for a length of time subsisted between them and others his Majesty's loyal subjects, or to *testify their good will and affection* towards their fellow subjects and towards *the present Constitution* of this kingdom. Clement XIVth's letter is nothing to the purpose. v. App.

how ill and suspicious an appearance it would carry, if none of the Roman Catholics should, in the interim, have taken an oath, so carefully framed, and adapted to their religious tenets. I stated the uniform doctrine of the Catholic Church, and the late circular letter of Pope Clement the fourteenth, by which they were justified in taking it, without further consultation, even had there been time sufficient to allow of it. After having laid all those matters before their Eminences, and having represented how much a body of Bishops who, as Saint Paul says, should be always irreprehensible in their conduct, must feel at the reports that were spread, so injuriously to their characters: I then demanded to know explicitly *what* they had to object to our conduct *(n 5)*.

The

(n 5) What followed? Fourteen months after this, Castelli Prefect of the Propaganda, writes an answer of a very few lines, whether explicit or not, reader do thou judge. All I find in it is, "That his (Dr. B's) due and accustomed obedience to the Pope "altogether required that nothing should have been *determined* (n. b. it is not *declared)* "in a thing of so much weight without "consulting the Pope, and that this affected the Pope and the Con-"gregation with not a light uneasiness. I have no more to say but "God preserve you." This does not seem the language of approbation, it does not admit they were justified in taking it by Pope Clement's circular letter or otherwise, the doctrine is not represented as before determined; they, the Munster Prelates, had taken upon them to determine what their duty forbade them to determine, and it is with justice declared to be a thing of great moment. If a private Gentleman after such a lapse of time, had received so laconic an answer, to a long letter, and a longer memorial sent at distant times, he would not have thought himself well used; how much more strongly must it strike in this case, when the *Prelates of a Province* apply to those they look up to, as their superiors, their guides, their judges, for instruction, for approbation or condemnation, in a matter that concerns their character, nay their salvation, and that of the myriads committed to their charge! But possibly, and we risk not much in supposing it, the answer was not so very laconic—that it contained much more; this the turn of the few lines we have seems to indicate, tho' Dr. B by calling it (not an *extract* of, but) *the* answer insinuates that it is the whole. If there is any more of it, and he will shew it, we shall be better able to judge of the sentiments of the Pope and the Sacred Congregation on this subject.

The answer of Cardinal Castelli, Præfect of the Sacred Congregation de Propaganda fide, to the memorial of the (titular) Bishops of Munster.

Most illustrious and Most Reverend Lord as a brother,

YOUR duty, and the usual respect due to the Holy See, seemed entirely to require that you should not have determined any thing in a business of such magnitude, *without first consulting the sovereign Pontiff;* whose judgment could even the more easily have been waited for by you, as you were not obliged by any compulsion or law to bring forth such a formulary. *It is this* that gave no small pain to his Holiness, and this sacred congregation. I have only to add, that I pray to God that he may very long preserve you*.

Rome, 23d November, 1776.
As your Lordships
Most affectionate Brother,
J. M. CARDINAL CASTELLI, Præfect, &c.

To his Lordship,
JAMES, Arch-Bishop of
Cashel, at Thurles.

(o 5) Nothing can more clearly prove, that *no part of our conduct in denying the Papal Supremacy in temporals, or in disclaiming those tenets imputed to the Catholic Religion*, was thought reprehensible at Rome, than the specific and precise answer—*Hoc est—It is this*—that we ought first to have consulted the Holy See before we determined in a matter concerning the Doctrines of our Church, in a manner that was to conclude so large a body as the Catholic Church in Ireland.

(p 5) But,

Per illustris et Reverendissime Domine uti Frater,

* DEBITUM vestrum consuetumque erga hanc sanctam sedem obsequium omnino postulare videbatur ut nihil in re tanti momenti statuendum censeretis nisi consulto prius Pontifice Maximo; cujus sententia eo etiam magis a vobis expectari poterat, quod nulla ve nullavi lege ad eam formulam expromendam adigebamini. HOC EST quod Sanctissimum Dominum est Nostrum, et sanctam hanc congregationem haud levi molestia affecit. Cæterum, Deum precor ut Amplitudinem Vestram Sospitem diutissime Servet.

Romæ 23 Novembris. 1776.
Amplitudinæ Vestæ
Uti Frater Studiossimus,
J. M. Cardinalis Castelli, Præfectus, &c.

Domino Jacobo,
Archiepiscopo Casseliensis
Thurlesiam.

(o 5) It is not *clearly* proved, or *proved at all*, by any thing produced, that their conduct in disclaiming, or censuring, was not thought reprehensible at Rome.

(p 5) But, if, after all these testimonies, it be asked, (for what may not be asked or said by those, who have already said so much?) who were these (Titular) Bishops of Munster, that so anxiously stepped forward to defend their religious tenets, while all the rest of the Catholic Clergy in Ireland were tame spectators of the scene? I might answer, that it would be of no consequence, who had stirred the question: but that when the question had been so put, and so answered, it ought to be taken as conclusively and finally decided. But, lest, by dwelling on the active part, that I and my suffragans took in this business, it should seem that I meant to convey any oblique censure on the other (Titular) Prelates of Ireland, or, lest any thing I said might be construed that way, it may be necessary to observe that the Province of Munster was, at that time, much disturbed by White-boys; that the disturbances of these infatuated people were then, as the late disturbances have been, attributed to the *Tenets* of their religion—and that it was alledged that there were *Popish Missionaries agitating* them to insurrection, and French officers training them in discipline, for the purpose of establishing slavery, popery, the devil, the pretender, the inquisition, wooden shoes, and all that variety of mischiefs, by means of which, so many women and children have been frightened at the name of a *Papist*. In

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(p 5) *Testimonies!* what? and of what?— The question could be looked on as conclusively and finally decided, at most by those who answered it, i. e. the Munster Prelates; but even that cannot be admitted, till it is proved that they have power to determine doctrines for themselves, and others no way subject to their jurisdiction, contrary to, or not liable to be annulled by the Pope, or that the censures of the Pope in cathedra are not valid. If the situation of Munster be allowed to be a good reason why *they began*, yet it is no reason why the Prelates of the other three Provinces of Ireland did not follow their example; Were not the abhorred doctrines *imputed to them also and to their people?* Had none of *them* hesitated? Were none of *them* Jacobites? or *had* none been so? *He has told us the contrary.* Were there never any Oak-boys, Steel-boys, and other insurgents in the other Provinces? If the other Prelates *did* follow their example, or concur and express their concurrence with them, not to declare it here, is an unkindness, an injustice towards his brethren, of which I would not suspect a Prelate, and Metropolitan. His endeavours to ridicule the fears which Protestant Women and Children, and I must be permitted to add *Protestant Men, Parliaments and Kings*, have entertained of Popery, and the Inquisition, of Slavery and the Pretender, (I say nothing of the Devil, for I suppose the author, whoever he may be, is afraid of *him tho' of nobody else*) this I say comes with an ill grace from him after his acknowledgment that till very lately the *body of Papists* were *faithful Jacobites*.

In point of fact, the very oath of allegiance, that we had then taken, was in strict conformity with the Circular letter of Pope Clement the XIVth, written five years before, which is to be found in the Appendix, (No. 7,) and in which that Pontiff so strictly enforces *obedience* (q 5) to the respective sovereigns of his *spiritual* servants, as necessarily connected with the sacred institutions of Christ; which he would scarcely have done, if that obedience were inconsistent with his own spiritual pre-eminence. And, if we wanted circumstances, still further to strengthen the proof of our orthodoxy, in taking and observing the oath of allegiance, there are two, so remarkable, that they might be sufficient, by themselves, to establish it.

The reader will not attribute it to vanity, if I say, that the activity of that part I took in shewing the conformity of my duties as a Catholic Divine, with those as a subject under a Protestant government, was sufficient to raise sentiments, respecting me, particularly at Rome, far from those of mere indifference (r 5); and nothing could therefore have been more grateful to me, than to find, on a subsequent occasion, that my conduct was particularly observable to the Holy See.

(s 5) Having learned from an honourable person, then high in power, that there was a suspicion, harboured by the government, of the interference of foreign powers in the nomination to (Titular) Bishoprics in Ireland, I addressed Cardinal Castelli on the subject, so

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(q 5) This has been so often answered, that it is tedious, if not useless to repeat it, the Pope enjoins obedience to princes, except when he absolves, deposes, excommunicates, &c. (or except they are Heretics, unless when he permits their allegiance as *we know he did* to Queen Elizabeth, and *for ought we know* may to George the third). This power he has always claimed, often practised, never renounced.

(r 5) Dr. B. says his conduct must raise sentiments of him far from mere indifference, particularly at Rome; this seems to allow, that the doctrines had not been before acknowledged at Rome, and that he had at length cleared up to them what had hitherto been at least doubtful. Had they been always the known established doctrines, what sentiments could it have raised of him, other than those that would arise from a knowledge that he had been active in promoting the attendance of the people at mass, or in discharging any other part of his duty?

(s 5) Government suspected that the Pope and Congregation were about to send foreign Prelates, at the instigation of foreign powers; they disliked it, for very obvious reasons; so did the Irish Bishops, for reasons very obvious also: they begged the Pope and Congregation not to do it, and they consented.

so injurious to the Holy See, and the sacred congregation (*t* 5). For it must certainly tend to shew that body in a very invidious light, to describe them as obtruding upon the Catholics of Ireland, at the instigation of foreign Powers, *foreign Prelates, ignorant perhaps of the manners, unacquainted with the virtues, and unlearned in the language of those they should be sent to instruct*, who, for the sake of propagating their religion more widely, might probably wish to have the rustics of Ireland taught to chaunt their hymns in Italian metre, or offer up their prayers in all the decorations of Gallic elegance; but who would certainly agree with his Lordship, the Right Reverend Bishop of Cloyne, at least, in this, that *the Irish language should be abolished* (*u* 5), and would so far justify his Lordship's

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(*t* 5) This paragraph is so very obscure it is not easy to make out the meaning of it but it seems to be a sneer on Englishmen's being made Bishops of the established Church of Ireland, some of whom have been active (not illaudably one would think) in having the Cathedral Service well performed. Where the Author has found or whence collected what he calls the Bishop of Cloyne's idea must be left to himself—His *Galimatia* unravelled will stand thus. The worship of the established Church is not understood, and is therefore unacceptable, this unacceptableness will be qualified, if the worship is recommended in an unknown language.—The doctrine of the established Church is novel and it will acquire new temptations, if the preacher of it is novel.—This paragraph could not be levelled at, nor is it applicable to, Italian or French Prelates, who certainly would not introduce Italian hymns or the decorations of Gallic Elegance into the canon of the Mass; nor would they desire that the Irish language should be abolished, they would retain the service as it is, and Latin is as unintelligible to an Irish Rustic as to any other; nor would they attempt to make Italian or French the common language of Ireland. That which he says would shew the Holy See and sacred Congregation in an invidious light, is plainly meant to be applied to the King and his Ministers—With what candour, respect or decency is submitted to sober consideration.

(*u* 5) The Bishop of Cloyne thinks, I suppose, for he is a man of common sense, that it would contribute much to union, good will and civilisation, if all the Subjects of the same Empire were to understand one another, and to speak the same Language; and of the two, *that* naturally is to be preferred, which is spoken by the Majority, which is at present the most improved, and in which most knowledge of all kinds is to be obtained; if any one thinks otherwise, let him declare what he thinks would naturally be the effects, what would be the advantages and disadvantages of this, and of the contrary system; I'll engage the Bishop will warmly embrace that which appears the best: I am persuaded that he has no desire that the Irish Language should be abolished, or unknown, or not cultivated, as a learned Language,

ſhip's idea, that to qualify the unacceptableneſs of a worſhip not underſtood, it ſhould come recommended in a language which is unknown,

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and as it may tend to promote knowledge in hiſtory, antiquities, poetry, or any other ſubject: were he an inhabitant of China, he would wiſh that all the Inhabitants ſpoke Chineſe, not that one part of them ſhould ſpeak Chineſe and another part Arabic. Theſe inſinuations have been before thrown out, in order to alienate the affections of the People from him, by repreſenting him as an alien enemy, and thereby to indiſpoſe them to receive from his tongue and pen the words of truth, and the things pertaining to their peace and to their ſalvation. He was not born in Ireland,—nor was the anceſtor of O'Brien, of O'Connor, of O'Nial,—*for they are not Athenians.*—He was born in England,—ſo was the anceſtor of Leinſter, of Dr. Butler of Caſhel, of Clanricarde, of Charlemont, of Kenmare, of Dunboyne.—But their children were born here,—ſo were the children of Dr. Woodward.—He came here as a fellow ſubject, in peace, he wreſted no man's Poſſeſſions from him by force or fraud, he was invited over and introduced *here*, by one of the moſt eminent and reſpected Natives, as his intimate, well try'd, valued and beloved Friend; their friendſhip has continued unabated from youth to age; To the recommendation of this friend, one of the moſt conſiderable perſons in this Kingdom, he probably in a great meaſure owes the ſeveral gradual preferments wherewith he hath been honoured by his Sovereign; he has never been taxed with neglect of his Duty, *(except that unlucky nap laſt ſummer)*; he has lived in friendſhip with many honourable perſons of this nation, he has received many marks of civility and kindneſs from them, and has always gratefully acknowledged and ſtudied to return them; he has always expreſſed the warmeſt wiſhes for the welfare of this nation; he has always, and in various places, earneſtly and painfully exerted himſelf to promote it, and eſpecially to do good to the *poor*, and to relieve their wants and diſtreſſes of every kind; and he has been bleſſed with ſucceſs in his endeavours, to a greater degree than has fallen to the lot of many of the Natives, however well inclined they may have been to effect the ſame good purpoſes. That his preferments might have been beſtowed upon Natives of equal merit, I believe he will readily admit, but preferments never have been, nor, while men are men, ever will be, conferred according to merit only; intereſt and favour will have ſome ſhare in the appointment, and we muſt not be too much diſſatisfied when they concur with ſome competent degree of merit, tho' not the greateſt. I do not mean that the Natives of this Kingdom ought not to have had a greater ſhare of the employments and preferments of every ſort than they have hitherto enjoyed; I think they were intituled to them, I am ſorry they had them not, I truſt they will have more for the future. But at the ſame time let it be remarked that the Engliſh have been long accuſtomed to look upon themſelves and the

known, whilst the novelty of the doctrine is to acquire new temptations, from that of the Preacher (*t* 5).

But the Holy See and Sacred Congregation thought (with doubtless as little of the Right Reverend the Lord Bishop of Cloyne's (*w* 5) approbation, as he bestows on any of our tenets (*x* 5) or our conduct) that *Irish Clergy were the propereſt perſons to undertake the charge of inſtructing the Iriſh Laity*, and they were accordingly determined in the nomination of (Titular) Biſhops, by the wiſhes of the Iriſh themſelves, in the perſons of their (Titular) Prelates and Catholic Paſtors (*y* 5).

After

Iriſh as one and the ſame people (as indeed they are) ſo far that no Engliſhman ever murmur'd at any man's getting preferment in England, becauſe he was an Iriſhman; of this are inſtances, with many more, Lord Viſcount Shannon, Lord Cadogan in the army. The Hood's, Paliſer, Sir Peter Parker, in the navy; Markham Arch. Biſhop of York in the Church; and in the State, Lord Egmont firſt Lord of Trade, his ſon the ſame and of the Admiralty, Lord Nugent of the treaſury and firſt Lord of trade, Lord Hilſborough Secretary of ſtate, Mr. Welbore Ellis the ſame, Mr. Bourke, Colonel Barre, and Lord Sh burne Prime Miniſter.

(*w* 5) The author doth ſeldom mention the Biſhop of Cloyne without a contemptuous ſneer *p*. 21, I can tell his Lordſhip of Cloyne, *p*. 22, the ſame words, *p* 56, the Right Reverend the proteſtant Lord Biſhop of Cloyne, *p* 64, his Lordſhip the Right Reverend Biſhop of Cloyne, *p* 66, the Right Reverend the Lord Biſhop of Cloyne &c. Thus are *now* treated the Biſhops of the eſtabliſhed Church by thoſe who 'till five years ago were only connived at, and who ſince that time are only tolerated, and that greatly through the aſſiſtance of thoſe Biſhops! Thus Cranmer Archbiſhop of Canterbury was treated with contempt by the Lords of the Romiſh faction on ſome hopes they had conceived of coming into favour under Henry 8th.

(*x* 5) It is falſe and groundleſs to ſay or to inſinuate that the Biſhop of Cloyne does not approve of *any* of the tenets or conduct of the Roman Catholics. He and all Proteſtants know and acknowledge that many of them are agreeable to the word of God; of thoſe they approve: they are convinced that many of them are contrary and repugnant to that holy word, of thoſe they diſapprove. And may they ever do ſo! As it cannot be meant that the Biſhop of Cloyne thinks Italian or French Clergy are moſt proper to inſtruct Iriſh Laity, this muſt be conſidered as a continuation or repetition of the compliment paid to the King and his Miniſters for ſometimes giving preferments in Ireland to men born in England; and as I believe the Biſhop wiſhes the inhabitants of the two iſlands ſhould be conſidered as one people, it is very poſſible he may think the conferring the preferments of both, on the natives of both, indiſcriminately, would be attended with various good effects.

(*y* 5) The Pope and Congregation nominate the Iriſh Titular Biſhops; there is no temporal Prince ſince the death of the old

After insisting on this in the strongest terms (z 5), Cardinal Castelli goes on to say—*I must now notify to your Lordship the grateful and favourable disposition of this Sacred Congregation towards you, not only on account of the very great diligence and earnestness you so eminently shew, in fulfilling the duties entrusted to you, but also for that proper and just discipline every where observed; as you mention, by you and your suffragans—and, whilst we hope it will always continue so, we pray the great God that he may long preserve you.—As your Lordship's*

Most affectionate Brother,

J. M. Cardinal Castelli.

Restat ut Amplitudini tuæ testatam faciam sacræ hujus Congregationis gratam propensamque voluntateu, non solum ob summam diligentiam ac studium, quo in expendendis Muneribus tibi Commissis apprime uteris, verum etiam ab ea quæ retulisti de æquâ disciplinâ, quæ non minus abs te, quam etiam a suffraganeis tuis ubique servatur. Ac dum fore confido ut res æque in posterum pergant Deum optimum Maximum precor, ut Amplitudinem tuam diu sospitem servet atque incolumem.

Amplitudinis tuæ,

Romæ 26 Decembris,
1778.

Uti Frater Studiosissimus.

J. M. CARDINALIS CASTELLI, &c.

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Pretender to whom they look up for preferment, which is not the case with the Clergy in any other Roman Catholic country (save the Pope's Dominions) where the sovereign disposes of the Bishoprics, &c. generally if not universally, though the Pope may afterwards expedite their Bulls; it is natural therefore to suppose the Irish and English Priests will be inclined to adopt whatever tenets are most acceptable at Rome; and this has actually been the case ever since the Reformation, as Walsh observes.

(z 5) It should naturally be Dr. Butler who insisted in the strongest terms, not Cardinal Castelli, for we do not apply the phrase of insisting strongly to a person who assents to, or approves of, the proposition of another; except perhaps when he reinforces it with new arguments; if his eminence did so, it would have been more

This letter, it is to be remarked, was written in the year 1778, when the Holy See and the Sacred Congregation had been sufficiently long acquainted with the active part I had taken (*a* 6), in support of a *Protestant Government*, to judge, whether or no my *conduct* was better than my *tenets*.

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satisfactory to the public, if Dr. B. had been pleased to communicate the parts of both their letters which contain and treat of the material business, instead of the concluding compliments (here set out with such a parade of accuracy) which are generally looked on as mere civilities. We should be thoroughly acquainted with the preceding matter, before we can form the least judgment of the import of such a compliment; as it stands, it is only, "That the "congregation declare their good will to him for his diligent dis-"charge of his duty in general, and especially for the impartial dis-"cipline every where observed (*as he says*) by him and his suffragans," which seems to allude to their conduct towards their Clergy or their people; but cannot be extended to mean, much less produced as a proof, that we approve of your taking the oath, and we approve of the doctrines contained in the oath, according to the plain sense of the words as they are generally used and understood by Protestants: This is the point in question and of which we now require a proof, for we have not yet had it. It is to be observed that this was so long after the propounding the oath (upwards of four years) that it is not to be presumed it related to it; if it did, let it be shewn. Observe further that this was the answer to Dr. B's. address concerning the appointment of Foreigners to Irish Bishopricks, a matter no way relative to the oath.

(*a* 6) The *active* part in support of a Protestant Government (it cannot be *as* a Protestant Government, but of a Government, *although* Protestant) previous to 1782, of which Dr. B. boasts here and elsewhere, consists merely in this; he with his suffragans signed a declaration that the oath was not contrary to the principles of the Roman Catholic Religion, 13 months after it took place; this creating uneasiness among the Papists, as it was directly contrary to what they had been taught by Bishop Burke immediately before, they found themselves compelled to sign a disapprobation of his book, (artfully worded); and above *a year and a half* after the act had taken place, and soon after he received the answer of the Sorbonne, (which might be made use of as a shield against blame) he took the oath. Since that time, in May 1784 which they call a *trying period* (*why*, we Protestants know not) they recommend loyalty, industry, sobriety, and peace; in 1786 they publish a declaration of seven articles, six of which relate solely to the disputes and disturbances between the Popish laity and their Priests, and the last admonishes the people in very moderate terms not to go to riotous illegal meetings, or to take rash and iniquitous oaths, and lastly they address the King on his escape from the horrid attempt

It is alſo remarkably corroborating, of this conformity of our allegiance with our tenets, that Doctor Troy (*b* 6), the preſent worthy (Titular) Arch Biſhop of Dublin, who took all poſſible means to reconcile the oath of allegiance with the tenets of his religion, and ſtrongly recommended it by his precept and example, to all his flock, was nominated to that ſee immediately after his conduct, in his former dioceſe (of Oſſory) had diſtinguiſhed him, a ſecond time, as a moſt loyal ſubject, by uſing all the means in his power to check the late inſurrection (*c* 6)—and that his predeceſſor in Oſſory, Doctor Burke, who has brought ſo much unmerited obloquy upon the Catholic Church, by his Hibernia Dominicana, by aſſerting claims that the Holy See itſelf does not contend for, never obtained any higher preferment than that he already enjoyed, when his Supplement to the Hibernia Dominicana was publiſhed (*d* 6). There

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of Margaret Nicholſon. All this, however right ſome part of it may be, does not ſeem to entitle them to any particular applauſe for an active ſupport of a Proteſtant Government. Something more they might and ought to have done as has been already, and ſhall be hereafter mentioned.

(*b* 6) Let it be taken for granted that Dr. Troy is a moſt loyal ſubject, yet his promotion to the See of Dublin can be no corroboration of the approbation of the See at Rome, for the Author aſſerts or inſinuates that all the Titular Biſhops, nay all the Prieſts and the people in general, are moſt loyal. Had Rome intended the promotion to Dublin as a mark of approbation of the oath, it ſhould have been conferred on one of the Munſter Prelates who ſo anxiouſly ſtept forward to defend their religious tenets—on Lord Dunboyne, for inſtance: It might then have ſeemed an argument of ſome weight.—Dr. Troy took all poſſible means to reconcile the oath with the tenets of his religion—to take all poſſible means implies a difficulty to be ſurmounted, and a great effort to ſurmount it; but where was the difficulty, what effort was neceſſary to reconcile two things which we are told are perfectly conſiſtent? Obſerve Dr. Troy did not take the oath, and only four Prieſts in the county of Kilkenny took it.

(*c* 6) It is not meant to queſtion Dr. Troy's loyalty, but what is here alledged cannot be admitted as a proof of it, for any Papiſt however diſaffected to Government might have endeavoured to check the late inſurrections, as they would naturally tend to prevent the further favours which it is ſo often hinted they expected to obtain, and thereby be prejudicial to his cauſe; unleſs he thought they would prevail and overturn the Eſtabliſhment; and a Papiſt with as much warmth, and with leſs ſenſe than uſual, might ſee things were not *quite ripe* for that—*as yet.*

(*d* 6) Does the Author mean that Dr. Burke never obtained higher preferment becauſe he wrote *Hibernia Dominicana* and ſupplement? If

he means so, I ask further, does he mean it was because Rome disapproved of the doctrines in it, or because they disapproved of his publishing them unseasonably, disclosing what they wished to pass over in silence, at present, in those parts under the dominion of Heretics, giving a fresh proof of the claims and doctrine of Rome, thereby alarming all Protestant Princes (and all others indeed) of their danger, and putting them upon their guard against it; that he was imprudent and rash, wanting in the caution and secrecy requisite for higher trust, or if a vulgar expression may be permitted, that he was a silly fellow and had let the cat out of the bag. Might it not be lest his promotion might be considered by Protestants as a public avowal of the doctrines? However he tells us, he was appointed Bishop of Ossory in 1759 while his Book was under examination: and had it not a very particular approbation? Does not the Book contain the same Doctrines as the supplement and much more fully and strongly set forth? was it not well known at Rome? was any condemnation or censure passed on it, or on those who licenced and approved it, or on the Doctrines contained in it, at Rome or any where else, but at Thurles by seven Irish Bishops, and that on a very particular occasion. Is there not an *Index Expurgatorius* with a particular Congregation for conducting it? Is the *Hibernia Dominicana* and suplement, or *Bellarmine*, *Baronius*, *Suerez*, *Becanus*, *Seioppius* and so many others *ut delassare valent Fabium*, maintainers of the same Doctrines in it? no! Does not this work, which is said to have brought *so much unmerited obloquy on the Catholic Church*, deserve a place there better than many others, which *are* in it? nor have this Congregation become negligent, slumber'd on their Watch, or slacken'd their hands; an instance of this occurs at the same period, John Niccolas de Hontheim Bishop of Myriophytos in Partibus and living in the Electorate of Treves, wrote a book entitled *De statu Ecclesiæ et legitima potestate Romani pontificis* under the feigned name of Febronius in the year 1763 maintaining Doctrines somewhat different from Bishop Burke's, and immediately on 24 February 1764 it was prohibited by the Congregation of the Index, and again 3 February 1766, and 24 May 1771 and 29 May 1773, four times in nine years; some time after, being probably grown old, timid and unequal to bear up against such a persecution, he was induced by his Metropolitan and Prince, the Elector of Treves, to recant, and his recantation was received with great ceremony, great encomiums bestowed on the elector, an account of it drawn up and spread abroad, and printed in other places, particularly at Lisbon.

But it is with the present Popish Bishops and not with Dr. Burke that you must contrast Dr. Troy.—The Author argues thus—Dr. Troy recommended the oath by precept and example to all his flock, (note *en passant* he did not recommend it by *example*, for his name appears not in the list, though there are butchers, brogue-makers, dancing-masters, wood-rangers, hair-dressers, labourers, marksmen, and a serving man; if by precept, his flock or the undershepherds proved refractory, for only four Priests in the county took it) however grant he recommended it, and ten years after he

There will, I believe, hardly be a reasonable (e 6) man, who shall have read the foregoing, and recurred to the Appendix, as referred to in the text, but will acknowledge the force, and justice, of the answers I have given to those unjustifiable accusations, brought forward against my religion. From the length, to which, on account of

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distinguished himself a second time as a most loyal subject, by using all the means in his power to check the late insurrection; immediately after this Dr. Carpenter happened to die, and the Pope promoted Dr. Troy to the See of Dublin, *therefore* it is plain the Pope approves, not only of taking the oath, but also approves the doctrines which to plain men appear to be contained in it, and of checking the Whiteboy insurrections--*contra sic argumentabor.*—The Prelates of Munster *seemed* to approve of the oath, and some of them (*not all*) took it, they recommended it to their flocks, they disapproved the Hibernia Dominicana, they anxiously stept forward to defend their religious tenets, they exhorted their people to loyalty and peace in the trying period of May 1784, they endeavoured to check the spirit of Whiteboyism in 1786, and they addressed the King on his escaping assassination; Dr. Carpenter dies, and the Pope doth not confer the See of Dublin on any one of them (though some of them would probably have been glad of it, and one of them, who might have expected favour on several accounts, is said to be not a little displeased at not getting it) *therefore* it is plain that the Pope doth not approve of the oath, or blaming Burke, or defending *what they call* their religious tenets, or exhorting people to loyalty in trying periods, or checking Whiteboyism, or addressing a heretic King who escapes assassination. But who does not see the futility of both the Author's arguments and mine? What man of common sense but will say, Dr. Troy attained the See of Dublin, either because he was thought to have more abilities or merit of some sort or other, that he would be more useful, or that he had more interest, than any of his competitors.

Dr. Burke the late Titular Bishop of Ossory is most unjustly blamed, he asserts no claims which the holy See itself and its abettors have not contended for during many centuries past. Such claims have brought much obloquy, and *well merited* on the Church of Rome; if the Holy See does not *now* contend for them, *let her* NOW *authentically and unequivocally disavow them*, and thereby vindicate her character, and give consolation and joy to all sincere christians and men of good will (*hominibus bonæ Voluntatis, Vulgat.*) and banish the fears and apprehensions of all nations.

(e 6) I hope I am a reasonable man, I have read the foregoing and have recurred to the Appendix, yet I do not acknowledge or *perceive* the force or justice of the answers given by the Author, to the accusations brought against the Popish Religion: I think I have shewn in these notes that they are neither strong nor just. Whether he is or I am right must be left to the judgment of others.

of the documents neceſſary to be produced, this work has already run, and a full conviction how little advantage plain truth, like all other intrinſic beauties, derives from ornament or decoration, I ſhould willingly reſt here, and leave to the world at large to make thoſe obſervations on the charges advanced, and thoſe diſcriminations between the accuſers and the accuſed, for which, neither my function nor my diſpoſition, perhaps ſufficiently qualify me. But it would leave our Juſtification ſtill imperfect, if I were not to anſwer the objections urged againſt the *ſincerity* of the (Titular) Biſhops, more particularly on account of the terms *(f 6)* 'perſequar et impugnabo' in the conſecration oath, which, as commonly interpreted by a certain claſs of perſons of great *boaſted* liberality, are applied to a perſecution by *fire and ſword.*

And, firſt, I muſt obſerve, that there is no apt term of interpretation in our language for the verb 'perſequor.' Some auxiliary muſt be adopted to make it intelligible—as to follow *on*, to follow *through*: or its meaning muſt be determined by ſome term, to which it is applied—as to purſue *an argument*—or to purſue *one's journey*. The Engliſh term uſed as a tranſlation of it, 'I will perſecute' is not to be found in any Dictionary of the Latin Language.

But

(*f* 6) It is not from the ſtrict philological meaning of the words that we infer the meaning of *perſequar and impugnabo* in the oath; had not corporal puniſhments and death been often inflicted for hereſies real or ſuppoſed, I ſhould be of opinion they are not meant by them in this inſtance, for they do not neceſſarily imply them; but when we find ſo many expreſs declarations that Heretics are to be thus treated, for inſtance in the fourth Lateran where Prelates who do not exhort Princes to exterminate them, and thereby ſurely contribute to their death, are to be deprived, and Princes who do not obey in a limited time, a year I think, are to be depoſed and their dominions given to others, ſurely it is not unreaſonable or unfair to ſuppoſe that theſe words may be here underſtood in that ſenſe, to which they are certainly not repugnant. Nor is this ſcandal imputable or imputed to the Popiſh Religion alone; We know and bewail that it prevailed before the corruptions peculiar to Popery began, and that it did continue among thoſe who renounced and rejected thoſe corruptions: many were put to death for Hereſy in England ſince the reformation, and it is well known when the Writ *de heretico comburendo* was aboliſhed. Voltaire remarks on this ſubject that the reformed pretend to perſecute as well as the Papiſts, but that it is in a very inferior degree, and as a *monkey* pretends to imitate a *man*. Were thoſe words therefore to be omitted in the oath, it would nevertheleſs be manifeſt that it is the doctrine of the Church of Rome, that Heretics are to be puniſhed with death.

But for argument's ſake I ſhall allow the Biſhop of Cloyne's tranſlation, " all heretics, ſchiſmatics and rebels againſt our ſaid Lord and " his ſucceſſors aforeſaid, I will, to the utmoſt of my power, proſe- " cute and oppoſe." It only remains to know of what deſcription and ſpecies this *proſecution* and *oppoſition* are, which we are bound to practiſe.

On the firſt view, the collocation of the ſentence might determine (g 6) a man not already reſolved on being very captious. I will proſecute—and I will oppoſe—that is, beſide proſecuting, merely, I will, in aggravation, alſo oppoſe thoſe hereſies and ſchiſms. Now, if by this *oppoſition*, ſomething were not intended greater in extent and effect than the *proſecution*, it were needleſs, and tautologous, to uſe the term. If, for inſtance, we were to give the tranſlation of perſequar—I will perſecute (*with fire and faggots*)—and to end the ſentence with that of impugnabo—I will aſſault (*by argument*)—which is the explication given of the verb impugn by Doctor Johnſon, (eſteemed by the world a very good etymologiſt)—would not our readers rank us among the diſciples of Martinus Scriberus on the art of ſinking?* If the oath had been an Iriſh oath, I dare ſay it would have given ſcope for abundance of jeſts on ſo good a Bull—I will *kill* you, (which is the ſhort interpretation of roaſting at ſtake) and *then* I will *convince you*. (Since conviction alone can be the end of argument). To convey the meaning aſcribed to it by the Right Reverend the Lord Biſhop of Cloyne, when he inſiſts that *Papiſts are diſarming Proteſtants* upon the *known principles* of their

* The figure is called the Anticlimax, as
—Thou Dalhouſſy, the great God of War!
And Lieutenant Colonel to the Earl of Mar,
or
Under the Tropics is our Language ſpoke,
And *part* of Flanders hath received our yoke.

(g 6) The Author's argument from the collocation of the words is far from concluſive; in many inſtances the greater puniſhment is named firſt, thus in the articles of war, whoſoever ſhall be guilty of certain offences ſhall ſuffer death, or ſuch other puniſhment as the Court Martial ſhall think fit. As to his witticiſms about Bulls and Anti Climax's and his trite quotations from the Bathos on ſuch a ſubject, it ſeems to be reverſing Voltaire's remark and that the *man*, Butler, is here imitating the *monkey*, O'L——y.

their religion †, it ſhould be " impugnabo" (or rather oppugnabo) et " perſequar".

Here

(*h* 6) † I ſaid, in an earlier part of this work, that the Biſhop of Cloyne's alarms on this head tended to call one part of a nation to arms againſt another. The reſult has juſtified me: and the *Break of day Boys* are now, in the North, diſarming the Roman Catholics, in a manner in every degree as unwarrantable as was that, in which the Right Boys of the South diſarmed Proteſtants as well as Catholics.

(*h* 6) Whether the Break of Day Boys in the North are now diſarming the Papiſts, or in what manner they are doing it I know not, but how this ſhould juſtify the Author's aſſertion I do not conceive, unleſs he can ſhew, which will not be eaſy, that they are doing it in conſequence of the Biſhop of Cloyne's alarms: neither do I conceive how it can be in *every degree* as unwarrantable to diſarm Papiſts, who are by the laws *prohibited* to have arms, as to diſarm Proteſtants, who are by the laws *authorized* to have arms: at all events I am ſure there are laws ſtill in force, for diſarming the Papiſts, one of them paſſed in the 13th year of his Majeſty's Royal Grand Father, that theſe laws ſhould be given in charge to the Grand Jury at every Aſſize, that the quarter ſeſſions in every county, and every chief magiſtrate of a corporation, ſhould iſſue their warrants once a year at leaſt, and at all other times when neceſſary, to put them in execution; that they are all highly culpable, and moſt of them *puniſhable by fine*, for neglect herein. Why it has not been done, why they have not *all* been puniſhed for not doing it, (for *all* are puniſhable in ſome manner) has long been matter of aſtoniſhment to many Proteſtants; and I do now hereby call on all judges of aſſize, juſtices of the peace, in quarter ſeſſions or out, and on all chief magiſtrates of corporations to do their duty, to obey, the poſitive laws in this reſpect with vigour, tempered with prudence and mercy, and I do charge them with many of the calamities that have been ſuffered, much of the miſchief that has been done, much of the blood that hath been ſhed from their paſt neglect, and I do lay on their conſciences, on their immortal ſouls, which muſt render a ſtrict and awful account, all the danger which muſt, all the deſtruction which may, enſue from a continuance of that neglect to this Proteſtant land, to our laws, our religion, our properties, our lives, and our King. This is going ſomething further than the Biſhop of Cloyne has done, or poſſibly ever thought of, and they may give it what appellation they pleaſe, but I ſhall never be afraid or aſhamed to ſay I deſire the laws may be duly executed, with vigour, tempered with prudence and mercy: if the laws are bad let them be repealed, but when ſo many penal laws were repealed, only five years ago, as unneceſſary, and the diſarming laws left ſtill in force (ſave as to horſes,) it is an authentic declaration that the legiſlature

Here we muſt, however, look a little further. This oath it is to be remarked was framed by the Holy See, for the Miniſters of the Catholic Religion, who were bound by the *previous* obligations of that religion to abſtain from even being acceſſory to the ſpilling of human blood. The ſpirit of chriſtianity is a ſpirit of meekneſs, and ſo far at leaſt muſt it be allowed that the Roman Catholic Church preſerves her conſiſtency, as not to permit *her* Divines to contribute, with impunity, to the work of ſlaughter. It is a rule in *our* Canons (*i* 6) that perſons, who have wilfully concurred to the death of another, ſhall be incapable, without a ſpecial diſpenſation, of receiving orders; and the ſame concurrence, afterwards forbids them to exerciſe the functions of theſe orders. "They would act," ſays Ives of Chartres in his 247th letter to John Biſhop of Orleans, "in open contradiction of the prohibitions of the Canons. For how can the church think of ſhedding human blood, who from her very birth has learned to ſhed her own? It belongs to those, who

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doth think them ſtill neceſſary, and if they are good and neceſſary let them be put in execution: It is not a time *now* to ſay they are left *in terrorem*, for what terror can attend them, or what advantage ariſes from that terror, when we ſee them daily violated with impunity, and every crime, high treaſon not excepted, moſt daringly committed, avowed, gloried and perſevered in, for near two years? It is now time to blow the trumpet in Zion, to cry awake thou that ſleepeſt, to labour whilſt it is called to day, to know that *yet* is the accepted time, the day of ſalvation; before theſe things are hid for ever from our eyes!

(i 6) That there are Canons againſt clerks being acceſſary to the ſhedding of blood has been always well known, and that ſome good men have carried their ſcruples on that head to an abſurd length and therefore the Pope did well to inform those who could not learn it from common ſenſe and ſcripture, that though revenge is unlawful, yet the deſire of obtaining reſtitution of your property is not ſo; But it is equally well known that there are many Canons, decrees, &c. directing ſanguinary puniſhments, that many Popes, Cardinals, Prelates, &c. have carried arms and commanded armies without being depoſed, degraded or condemned for ſo doing, and two Iriſh Biſhops, Clogher of whom the Duke of Ormond ſpeaks, and Eugenius O'Hegan, Biſhop of Roſs, one was killed in battle with arms in his hands in Tyrone's rebellion, the other was taken fighting in the rebellion of 1641, and executed. How theſe things are evaded, explained, reconciled, would be tedious, and is needleſs to recapitulate: if any doubt of the fact they muſt be referred to larger works, and the Hiſtory of the World for the laſt ſeven or eight centuries.

who carry the *sword* of justice, to pronounce such judgments, but the church uses only the spiritual weapon to correct faults *.

These prohibitions we find in the Canon *Sæpe* cap. 23. quæst. 8, which is taken from the fourth council of Toledo, which orders, that the Bishops, whom it names *Sacerdotes*, shall be treated as guilty before Jesus Christ of the blood that shall have been shed by their means, and shall incur the sentence of deposition by the Church †.

In the 18th Canon of the 4th council of Lateran, recorded in the chapter *Sententiam sanguinis*, under the title *Clerici vel Monachi*—sententiam sanguinis nullus clericus dictet aut proferat, sed nec sanguinis vindictum exerceat, aut ubi exerceatur, intersit. And again in the chapter *suscepimus de Homocidio* and in the chapter *Episcopus* under the title *de clericii vel monachi in sexto*, the same rule is laid down. And in the *sententiam sanguinis*, above recited, it is even said, that no clerk shall dictate or write the informations, or the sentence, that have been pronounced against a criminal, found guilty of a crime deserving death ‡.

We find in Saint Thomas in 2 da 2 dæ Quæst 70ma——— operari vel cooperari ad occisionem hominis non competit ministris altaris, et ideo secundum juris ordinem compelli non possunt ad ferandum testimonium in causa sanguinis ||.

It is well known how much, and how generally, the conduct of Ithacius the Bishop of Ossobona was censured for having prevailed upon the Emperor Maximus to put the heresiarch Priscillian to death. The most eminent and most Holy Bishops of that time, amongst whom was Saint Ambrose, as we learn from his twenty-seventh letter, and the sixth Canon of the council of Turin, in the year 400,

* Judicium vero sanguinis servanda Patrum auctoritatis clericos agitare prohibet——quomodo enim Ecclesia judicare debet fundendum sanguinem alienum, quæ ab primo ortu suo, jussa est fundere sanguinem proprium?

Faciant hæc Cuncti judices qui ad scelerum vindictam gladium materialem portant, non qui contra nequitias spirituales gladio spiritus pugnant.

† Sæpe Principes contra quoslibet majestati obnoxios sacerdotibus negotia sua committunt; Quia vero à Christo ad ministerium salutis electi sunt, ibi Consentiant Regibus fieri Judices ubi jurejurando supplicii indulgentia promittitur non ubi criminis sententia præparatur. Si quis ergo sacerdotum contra hoc commune consultum discusor in alienis periculis extiterit, si reus effusi sanguinis, apud Christum et apud Ecclesiam perdat proprium gradum.

‡ Nec quisquam Clericus literas dictet aut scribat, pro vindicta sanguinis destinandas, unde in Curiis Principium hæc solicitudo non Clericis sed laicis committatur.

|| It does not belong to the Ministers of the altar to cause or to co-operate in the death of any person; and therefore the law does not permit them to be compelled to bear testimony in causes of blood.

400, separated themselves, on that account, from the communion of Ithacius, and of those of his party. In so odious a light were they held, that Saint Ambrose compares them to the Jews, who were earnest for the death of the adulterous woman, and Saint Martin, Bishop of Tours, long repented having communicated with them, even for a moment, though he only did so with a view and desire of saving the lives of several persons, as Sulpicius in the life of that Saint mentions.

Under such prohibitions and impressions, the Catholic Clergy carried the strictness of their obedience to such a length, that it was doubted whether a Clergyman, suing for restitution of damages, or reparation of injury in the temporal courts, did not incur the impediment of *irregularity*, owing to what the church termed a *Defectus Lenitatis*, if a capital punishment should be the consequence. And at length, Pope Boniface the VIIIth. was forced to clear up the doubt, by enacting a declaration, to be made by all clergymen in such a dilemma, wherein they solemnly, and with all sincerity, averred, that they had no other desire, in their prosecution, than a mere reparation of their own private losses, and that they, by no means, sought or desired the death of the person.

But further.—This oath is intended, at least in all those countries not subject to the Pope, as a *temporal prince*, (*k* 6) to extend merely as to *spirituals*: Its extension is so limited by our oath of allegiance; it is so limited by the terms of the oath *Salvo meo ordine*, making a special reservation of our state in society, and the duties incident thereto (*l* 6); it is so limited by the acceptation, in which it is taken by the Holy See, as has amply appeared in my correspondence with the Sacred Congregation (*m* 6).

It would be a natural conclusion, that the same rule, by which penal laws were interpreted, (*n* 6) should guide the interpretation of an

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(*k* 6) The same words, (in the same language) must have the same meaning in all countries: The consecration oath extends to temporals in the Pope's dominions, and therefore must extend to them every where. This does not preclude obedience to inferior Lords in the Pope's dominions, nor to Kings, States, or Princes elsewhere; but the Pope is the Supreme Lord, and can command Kings to kill their subjects, and subjects to dethrone and kill their King.

(*l* 6) It has been often said that they are contradictory and irreconcileable. *Salvo meo ordine* has been shewn by Dr. Hales and others to relate to the privileges or rights of the Prelate and not to his duties.

(*m* 6) This does not appear *amply*, or at all, in the correspondence published; if it appears in those parts of it which are concealed, Dr. B. may rectify all by publishing them now.

(*n* 6) Penal Laws are restrictions imposed by others; An oath when it is restrictive of natural liberty (for it is not always so, but

an oath, ſince they are both reſtrictive of natural liberty: and therefore that an oath, like a penal ſtatute, ſhould obtain a liberal conſtruction in favour of the perſon, whom it binds. Thus we find that a penal law, (mentioned by Puffendorf) which enacted, that no perſon ſhould *lay hands on a Prieſt*, was held to extend only to him, who ſhould lay *violent* hands on a Prieſt, or ſhould aſſault him with a weapon. Thus, when, by the Bolognian law, it was prohibited *to draw blood* in the ſtreets, the penalties of the law were not held to extend to a Surgeon, who breathed the vein of a perſon falling down in the ſtreet with a fit. (*o* 6) Thus, has it been familiar in the world to talk of *combating* opinions without ever annexing to it the idea of Bucklers or Lances, and Paper *Wars* are become common among men, who think of nothing leſs than encampments and fortifications. (*p* 6) It was thus, that the Roman Catholic Biſhops ſwore that they would maintain and defend the (ſpiritual) (*q* 6) royalties of Saint Peter, without once dreaming of an encroachment upon the (temporal) rights of King George, King Lewis, or any other King (*r* 6)—for they had learned from him, whoſe

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ſometimes enforcive of a prior natural duty, ſometimes declaratory of truth, or of the tenets of the ſwearer, as in this caſe) is a reſtriction impoſed by the ſwearer on himſelf; therefore it is not a natural concluſion, that penal laws and oaths ſhould be interpreted by the ſame rule (unleſs this author looks on this oath of allegiance, &c. as a penal law, and the regiſtration of Prieſts as a perſecution) An oath ſhould be rather interpreted by the ſame rule as a bond

(*o* 6) The inſtances from Puffendorf and the Bolognian law only ſhew, that men are not ſo abſurd as to interpret prohibitions of violence to mean prohibitions of friendſhip or aſſiſtance, to underſtand a figurative expreſſion as a literal one.

(*p* 6) That is to ſay, men who underſtand language do not by a metaphor mean the thing from whence the metaphor is borrowed. But what has all this to do with the oath of conſecration

(*q* 6) The word *ſpiritual* is not in the oath. The Pope has long claimed, and never diſclaimed temporal authority over all chriſtian kingdoms, (and others too, witneſs the Eaſt Indies and America) by divine right, and over all Europe by human alſo, for which conſult Baronius and Bzovius.

(*r* 6) The evaſion which may be uſed here, is obvious. He has no *right* to be independent, or not obedient to the Pope in temporals How they evade the words of Chriſt, or reconcile their conduct with them, muſt be left to themſelves, and they have not been wanting in endeavours.

We give to Cæſar, (ſay they) an allegiance and duty ſubordinate to the Pope, which is all that is Cæſars; we give, as we are here commanded, all the reſt to God, that is to his Vice-gerent, the Pope.

whose kingdom was not of this world, that they should give unto Cæsar the things that were Cæsar's, and unto God the things that were God's. And it was thus, they swore to *prosecute* and *oppose* heresies and schisms without once conceiving an idea of being obliged

——— to further
The pious work of blood and murther,

so liberally attributed to their *tenets*. For how can it be supposed, that in the very moment of entering on their ministry, they should swear to a conduct, which should disable them to discharge it? (*s* 6)

But a short cut (*t* 6) has been taken to answer all this reasoning, and to countervail all these authorities. And the *Inquisition* has been worn out to prove, that persecution even to death is a principle of our religion.

That persecutions, for religion's sake, have been carried to unwarrantable lengths, every man will acknowledge, who has read the histories of Europe. Religion and policy were led hand and hand: An established church was found to be the most closely connected with the political government: and, accordingly, every state in Europe has connected them. If, in the eye of civil polity, it has seemed fit to carry the punishments of Heresy to unnecessary, or unbecoming lengths; on that *civil polity* let it be charged. (*u* 6)

We

(*s* 6) How they evade or salve this, it is needless here to set forth, v. n. (*i* 6.)

(*t* 6) It is a short cut, the *shortest* indeed; as the philosopher by walking confuted the sophister who denied motion, so we oppose your long, uniform and still continued actions, to your pretences and assertions; but not so only, for your reasoning has been refuted by reason, and your authorities countervailed by greater: We oppose you in the streight road, neither will we suffer you to surprize or creep in upon us by any oblique or tortuous path. I am sorry a subject so replete with horror should be mentioned in a *light*, if not a *ludicrous manner*. *The Inquisition is worn out.*—In what? Not in the memories of men, the whole earth looks back at its past transactions with detestation and dread;—Not in practice, this generation has beheld *Auto's de Fée*;—Or do arguments, like garments, wear out and become unserviceable by long usage? No! But as the garments of the Israelites did not wax old, nor their foot swell, during their 40 years passage through the wilderness, so neither will *this argument* ever wax old or decay, nor the *Israelites indeed* be incapable of making the proper use of it, while they continue their pilgrimage on earth.

(*u* 6) It seems to be insinuated that the inquisition was established by the civil power; it was not, could not be, founded by any civil power; it was founded by the authority of the Pope wherever it

exists; it was attempted to be introduced by him, where the civil power opposed it; it is supported indeed by the civil power, and it is obvious it could not be supported without it, no more than any other external transaction; but no person can be punished for heresy, but in consequence of a sentence of an ecclesiastical tribunal or judge. The priests are not obliged to hunt heretics out, to examine them by the cruellest tortures, the bare reading of which makes not only the ears to tingle, but the hair to stand erect, and the flesh to creep. (And this they do within their own walls, before they are delivered over to the secular arm, nay, before they are sentenced, nay, before they are found guilty, by themselves; is this the spirit of meekness, the spirit of christianity?) Nor are they obliged to deliver them over to the secular arm, which they know will burn them alive: The sentence of the civil magistrate is merely official, it does and must attend on the sentence of the spiritual; it follows more necessarily than judgment and execution follow a verdict: (and thus he who nominates to a benefice, not he who is obliged to present the clerk nominated, is the real patron.) Their desiring the civil power not to hurt their bodies, is a cruel mockery; they have a moral certainty that the wretches will be burnt alive: It is worse than the story told of a Quaker, who said to a dog which had offended him, "I will not strike thee, but I will give thee an ill name," so he call'd, a mad dog (i. e. a heretic), and the poor cur, (as he well knew he would be) was immediately knock'd on the head. Nay, if the civil magistrate did not condemn them to the flames, and consume them therein, what would the holy office say and do? Probably clap the magistrate himself into the inquisition.

But in the Pope's dominions, where he hath the temporal power *de facto*, (as well as *de jure*, which he hath every where,) they are deprived even of this poor subterfuge: Why doth he not here abolish sanguinary punishments for heresy? And where he hath it not, why doth he not use his spiritual authority, power and weapons to prevent such abominations? Why doth he not exhort, admonish, condemn, interdict excommunicate, anathematize? If he has ever used any, even the mildest of these methods, Doctor Butler may be accused of being unjust and undutiful to the Roman Church, and to the Pope, and unmindful of his consecration oath, in which he swore to be careful, to defend and promote their honours; and unkind and uncharitable to us, (who might thereby be reconciled to them in some degree) in not having published it; and if he knows of any such, I now call on him so to do.

On whom should we charge those things, but on the Pope and the Church of Rome, by whom they were established, have been and are practised, who have never abolished or endeavoured to abolish them, who have never condemned them, and who are the *causa sine qua non*. Without them they could not exist? God forbid I should charge them on Doctor Butler, on Lord Kenmare, or on many good Catholics whom I honour, and long have honoured, but I charge

We have proved that ſuch meaſures belong not to us, and are totally incompatible with our functions. If the Inquiſition of Spain, and Italy, and Portugal, be charged on *us* what will the cauſe of chriſtianity benefit by our retaliating the Star Chamber (*w* 6), and the Penal Laws

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them on that Church in which they unhappily were bred, and to which they ſtill more unhappily adhere. I adjure them to open their eyes on her corruptions, to weigh the arguments, to admit *all neceſſary* conſequences, to *follow* the clue which will lead them out of the labyrinth; then will they perceive that they may be good Catholic Chriſtians without paying obedience to the Pope or his Conſiſtory or their decrees; then will they put away the accurſed thing, that they be not conſumed, they will reject the garments of the Syrian, that his leproſy cleave not unto them, they will flee from Sodom with the angel, they will, in obedience to the voice of the Lord, come out of Babylon and live! Then ſhould we ſoon be *thoroughly* united, (and perhaps the time approaches) then would all the ſheep be gathered into one fold, under Chriſt, the great Shepherd and Biſhop of our ſouls! Come, Lord Jeſus, come quickly, Amen! Amen!

My earneſt wiſhes have perhaps carried me ſomewhat from the immediate point; but to return: It is not on account of the inquiſition alone, that we charge perſecution on the Church of Rome; but alſo on account of thoſe other perſecutions and wars which, as the author ſays, hiſtory ſets before us; But though moſt, if not all, of them were carried on by the Princes for their own temporal ends; yet the Church of Rome concurred in them, and without that concurrence they could not have been carried on under that colour; ſhe is therefore juſtly, and doubly chargeable. How this is reconcileable to their function, and ſome of their tenets, I know not; let *them* look to that; but the irreconcileableneſs of their profeſſions with their actions, will not diſprove the facts; and if, as the author ſays in next page, their tenets are peculiarly to be ſought from their conduct, we have a pretty certain rule of judgment.

(*w* 6) The Star Chamber had nothing to do with religious matters: it was an ancient court, well intended, and productive of good when well adminiſtered, and within due bounds; but its powers had been greatly enlarged in former reigns, and much abuſed, and was therefore abolished 16 Charles I. But perhaps the author means the High Commiſſion Court, which, though poſſibly well intended, yet as illegal and cruel things had been done in it, it was alſo abolished at the ſame time. The penal laws, Doctor Butler, in his letter to Cardinal Marefuſchi, confeſſes were not aimed at their religion, their faith or morals, but at certain opinions, through a too intemperate zeal, too much *divulged* among them; for that the heretics were adverſe to a religion inimical to the ſafety of Kings and the tranquillity of ſubjects: In this he entirely agrees with Father Walſh who ſaid and publiſhed

Laws that so long stained our statute books in this and the sister kingdom, on the Protestant religion? The Inquisition is a creature of the civil power: (*x* 6) Suppose that it does exceed the proper limits, why are we to be charged with the transgression? and what answer should we have received from a liberal English juryman, whom we should accuse of cruelty, because, in consequence of his verdict, a Priest, convicted of returning to his country to exercise the functions of his religion, should be hanged? (*y* 6) Exactly in the same predicament stand the judges of the Inquisition. They are divines, because offences against religion are the only objects of their cognizance. They try those handed over to them by the civil power as accused of heresies; and their province extends no further.

Such have been the charges adduced against the Roman Catholics. Short as this work is, I hope (*z* 6) that it has answered the whole purpose

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the same thing 120 years ago. This fully exculpates those laws and the makers of them from the imputation of persecution for religious opinions; but the hereties thus thinking themselves in danger, it was natural and just in them to consult their safety, which they endeavoured to procure by those penal, disabling, and restraining laws: Whether their apprehensions were well or ill founded, alters not the question; they certainly entertained them, and their reasons for it have been set forth in this and many other tracts, and we continue to think them unanswered and unanswerable. (This extends only to the times prior to 1775, as to the state of things since that time, it is not meant *here* to be discussed.) We are not therefore afraid that the cause of Protestantism, much less of christianity, will suffer by any retaliation of the Star Chamber, High Commission, or Penal Laws.

(*x* 6) The Inquisition was not a creature of the civil power, as has been already shewn.

(*y* 6) The English juryman would answer We believe we are in danger from your religion and you, and particularly from your Priests, and that one great means of securing ourselves from that danger, is to prevent the return of Priests to this country from abroad; therefore the law has made it capital, the fact was proved against this Priest, before me and my fellows, in consequence of which we brought in our verdict against him, and in consequence of that, he was condemned and hanged; but you do wrong to condemn us or our legislators of cruelty, we only acted for our security and natural self-defence.—Can the Judges of the Inquisition make such an answer? Not unless they say, as I believe they do, Heresy is worse than death, suffering this man to live would spread heresy, to prevent which this heretic must be put to death; which is just acknowledging the accusation against them.

(*z* 6) The author *hopes* he has proved, &c. *I think* he has not proved; to shew in what I think he fails, would be to repeat all I have said. As to the behaviour of the Popish Clergy, I will only

pose of proving, that the duty of a Catholic, lay, or clerical, to the tenets of his religion, is perfectly consistent with the obedience to the temporal power, in whatever hands it may be placed, of the state that protects him—that the uniform behaviour of the Catholic Divines, in Ireland, (from whose conduct I must beg leave to say, their tenets ought peculiarly to be sought) has amply proved this example—that nothing is more incongruous with the spirit of the Catholic religion, than sanguinary persecution—and, that the disorders of the lower class of people in this country are in no wise to be attributable to their religious tenets. If the effect shall be to encrease that mutual confidence, which promises to bless the people of Ireland, after an age of divisions, my reward will be more than adequate to my labours.

As it is more than likely, that objections and answers may be offered to this work, I think it necessary, for avoiding all unnecessary cavils, to declare, that, as the authorities and vouchers here cited are intended to disprove those assertions of the Right Reverend the Lord Bishop of Cloyne, which, coming from any inferior authority, would certainly not deserve so public a notice, I shall consider myself at issue merely with his Lordship. He has advanced facts, which I have proved to be untrue: It will rest now on himself to defend, what himself has hazarded: and to determine the character which the world is to affix upon his accusations. (*&c.*)

APPENDIX.

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observe again, that they pretended and boasted, they were loyal to King George, during a long period of time in which, we are here informed, they were inviolately faithful Jacobites; how many of them took the oath proposed as a test of their allegiance from 1774 to 1778, and how many of them have obeyed the law of 1782, by registering themselves, though they were thereby to be exempted from certain penal laws to which those who have not taken it are still liable, appears by the lists. The disorders of the lower class of people are not altogether attributable to their religion, but surely they would be less reluctant to withhold his legal dues from a heretic Parson, than from one of their own religion.

(*&c.*) The author's repeated assertions require nothing but repeated denials; if he will be pleased to furnish us with the deficiencies herein pointed out, it will tend to elucidate matters; if not, on the evidence hitherto produced, there seems to be no room for further argument, and the dispute must be left to the judgment of the reader.

APPENDIX.

NUMBER I.

APPENDIX.

NUMBER I.

WE, the ROMAN CATHOLIC PRELATES of the province of MUNSTER, deeply impressed with a sense of the alarming disturbances, that at this time unhappily prevail amongst some of the lower class of our communion, in parts of this province, and desirous to contribute, with our best endeavours, to restore and to preserve peace and good order, as well as to discharge what we consider to be our duty to the public, have unanimously agreed to the following regulations:

First: As it appears to us, that two clergymen of our communion, in the neighbourhood where these disturbances seem principally to prevail, have become particularly obnoxious in their respective parishes, we think it absolutely adviseable for the good of Religion, and for the public tranquillity, that those reverend gentlemen, however innocent they may be of the charges made on them, do, of themselves, freely resign their parishes into the hands of their Prelate; and we earnestly recommend to them, that they forthwith adopt this salutary and prudent measure.

Secondly: Though we have been always attentive to enquire into the abuses, that might have crept into any of the parishes of our respective dioceses, on the points, which seem at present to make the subject of complaint of some of our people against their pastors; and tho' we have endeavoured to remedy such abuses wherever we found traces of them; yet it is our determination, on our return to our dioceses, to enquire still more narrowly into these matters, and to redress, as far as can depend on us, as well as to prevent for the future, whatever we may find blameable.

Thirdly: We wish it to be understood, and we hope it is by our clergy, how injurious it must be to religion, how unbecoming their sacred ministry, how disgraceful to their character, that they could be justly charged with odious extortion, or even with a rigorous exaction, in the collection of their dues! They cannot but consider it

it with us, as indiſpenſably incumbent on them, never to bargain mercenarily for their dues; nor *ever* to withhold from their people the ſacraments, on pretence of their dues *not* being paid to them

Fourthly: As the preſent diſturbances are reported to have originated, in ſome meaſure, from a diſſatisfaction in the poorer people of our communion, at the dues to be paid by them, particularly the marriage fees to their paſtors, and what is given when the banns are not publiſhed, we have employed on theſe heads of complaint, our ſerious attention; and with regard to the latter, every pretence of complaint ſeems to be obviated, by its being the fixed reſolution of the prelates of this province, that not more than a crown be demanded when banns are diſpenſed with; beſides, that the burden even of ſo much, may at all times be eaſily avoided, as it is to be wiſhed it may, by the publication of banns; and as after a diligent enquiry into the former, we find that the higheſt fee *permitted* to be demanded for a marriage, does not, any where in this province, exceed three half-crowns, which, we are convinced, cannot, in reaſon, at this day be complained of; yet, *where* it may be inexpedient to demand even *ſo much*, we will recommend, and we will *inſiſt upon it*, that ſo much will *not* be demanded by our clergy: The other dues allowed of, ſeem to us, upon the moſt impartial examination, to be equally moderate: They will be found upon inveſtigation, by every one of candour and diſcernment, to afford *now* but a bare and a ſcanty ſubſiſtence to the clergy, as the value of money has been conſiderably diminiſhed, and the price of the neceſſaries of life greatly enhanced;——Unexceptionable, however, as theſe dues muſt appear, if any clergyman in this province, ſhould unrelentingly exact them from thoſe who may not be *well able* to pay them, upon information thereof being properly ſtated to his Biſhop, or to thoſe intruſted by the biſhop with his power, (and it is moſt earneſtly requeſted by us, that no well founded information of the ſort be at any time withheld,) ſuch Clergyman ſhall be ſure to meet with the ſevereſt animadverſion from his Prelate, and the evil ſhall, certainly, be exemplarily redreſſed.

Fifthly: We cannot but ſignify our decided diſapprobation of a practice,—charged we would wiſh to hope, without ſufficient foundation on ſome pariſh prieſts in this province, of putting their pariſhioners to expences, oppreſſive and unſeemly, by the entertainments provided at the ſtations of confeſſion, at weddings, chriſtenings, or funerals. It were to be wiſhed, that the clergy, on theſe occaſions, were invariably, to partake of no further entertainment, than moderately to break-faſt, when to do ſo would be neceſſary, and that they do partake of no other entertainment, ſhall be earneſtly recommended to them by us;—but, as it may happen at times, that they could not, without giving offence, decline the hoſpitality of their Pariſhoners,—whenever this may happen, we will exhort our clergy, and we will expect, that they ſhall ſtrictly abide by what we will thus exhort them to,—not alone, that they never meanly obtrude themſelves uninvited upon their Pariſhioners,—

never

never tyrannically force from them as a matter of right, what can proceed only from their free benevolence, but also, so far from desiring, or permitting them, to furnish out expensive entertainments, on their account, that they shall absolutely discourage such entertainments, and always content themselves with such frugal fare, as their parishioners will chearfully, and can without burden to themselves provide.

Sixthly: We have, and not without the utmost indignation and horror, heard it charged on some parish priests in this province, that they made it a practice, notwithstanding our repeated and earnest directions to the contrary, occasionally to vent their vindictive resentment against their poor people, by pouring forth from the Altar, the most shocking curses and imprecations upon them: This appears to us to be so detestable, so dissonant to the mild spirit of the Gospel, as well as to the meek example of our Divine Redeemer, that we can scarce bring ourselves to believe any clergyman capable of being guilty of it!——And whilst we thus express our every abhorrence of it, it is our resolution to punish, in the most exemplary manner in our power, the unhappy clergyman who may have transgressed on this head; and we will also exert our most zealous endeavours to prevent for the future so *shameful* a profanation.

Seventhly: Whilst we thus resolve to do away at all times, on our parts, and as far as our influence can extend, every just cause of complaint; we think it our duty to admonish such of our people, as may stand in need of our admonition, that they cannot, without manifest and great offence of Almighty God, not without being wanting to what they owe to society, assume to redress themselves, in real or imaginary grievances, by resorting to the measures of *riotous illegal* meetings, or of attempting to *bind* themselves, by oaths rash and iniquitous, to matters prejudicial to the public peace, injurious to individuals, and such as must eventually be ruinous to themselves, by drawing down upon them the vengeance of heaven, the just punishment of the laws, and the resentment of those intrusted with the execution of them: such oaths far from being obligatory, must be deemed heinously sinful in those who take them, and doubly criminal in those who obstinately persist in the resolution of observing them. (*a* 7)

JAMES BUTLER,
DUNBOYNE,
MICHAEL PETER M'MAHON,
MATT. MAC KENNA,
WILLIAM EGAN,
F. MOYLAN,
DENIS CONWAY.

Cork, June 26th, 1786.

(*a* 7) I do not blame the Munster Prelates for bestowing six parts in seven on the care of their Clergy and people, and the disputes between them; it was natural, and in some sort their more im-

APPENDIX.

NUMBER II.

DECLARATION in MAY 1784.

WE, the Roman Catholic Prelates of the Province of Munſter, aſſembled in Limerick on the firſt of May, 1784, think ourſelves particularly called upon at this trying period, (*b* 7) to redouble every effort of our influence and zeal in preſerving inviolate among thoſe under our care, the ſame pure ſentiments of loyalty and

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mediate duty; but might not ſomething more have been done and ſaid in the ſeventh part? Might not their duty to pay their tythes to the Clergy of the Eſtabliſhed Church, have been more fully and clearly expreſſed, and more ſtrongly inculcated and enforced, and commanded under pain of their ſpiritual cenſures? What *is* ſaid, implies every thing, and might be ſo underſtood by a ſenſible thinking man, but might it not have been made more ſtriking to the common people, and might not the Prieſts have been directed to inculcate this from time to time. More of this *infra*.

(*b* 7) All things ſeemed to us very quiet about this time, but it here appears there was ſomething, which we know not of, then in agitation among the Papiſts: *A trying period* muſt mean they had then ſome great temptation to reſiſt and ſubdue, or ſome imminent danger to face, or ſome difficulty to ſurmount or ſome enterprize to conduct: Were they then ſolicited to do any thing contrary to their allegiance, and by, and in favour of, whom? Were they meditating any ſcheme relative to the diſturbances which have ſince happened, or to the ſubjects of them, tithes, *taxes*, *rents*, &c. Or were they about to apply for ſome further relaxation of the penal laws, and *to have arms*, or to have *places* of profit and truſt, or to *vote* for Members of Parliament, *or to ſit in parliament*, and what reaſon had they to *expect ſucceſs?* Different parts of this Declaration ſeem to point at all theſe objects, and a knowledge of the ſtate of things among them at that time, would throw great light on our preſent ſituation.

and attachment to our king and country, which have hitherto diſtinguiſhed their conduct; to cheriſh and ſtrengthen thoſe juſt and neceſſary principles by every means in our power, and enjoin all our clergy ſtrenuouſly to maintain the ſame ſalutary maxims throughout their reſpective diſtricts by ſtudiouſly exhorting their people to induſtry, ſobriety, and a peaceful demeanour in all things, as the ſure means of fulfilling their duty to God, and the ſtate; a tenor of conduct which at the ſame time that it will prove them worthy of the favours already conferred upon them, will, we truſt, entitle them to further marks of the Legiſlature's kindneſs and protection.

JAMES BUTLER,
JOHN BUTLER,
MAT. MAC. KENNA.
MICHAEL PETER M'MAHON,
WILLIAM EGAN,
F. MOYLAN,
DENIS CONWAY,
LAURENCE NIHELL.

APPENDIX.

NUMBER 3.

To the King's Most Excellent Majesty.

(c 7)

The humble address of the Superiors of the Catholic Clergy of the Province of Munster.

May it please your Majesty,

WE, your Majesty's most faithful subjects, the Superiors of the Roman Catholic Clergy, in the Province of Munster, having offered up our fervent thanks to the Almighty God, for your Majesty's happy escape from the horrid attempt made on your Majesty's most sacred person, presume in all humility to present at the feet of your royal throne, in the name of the Roman Catholic Clergy of the Province, our most dutiful and loyal congratulations on such a signal interposition of divine providence.

Whilst

(c 7) It is not usual to lay any great stress on Addresses, and Princes have been pretty well cured of relying on them for near 150 years past; if a Man, as a proof of his loyalty, was to alledge that he had signed a loyal address, the evidence would be deemed far from conclusive; tho' on the other hand, his neglecting when it came in his way, or refusing when desired to sign it, might give ground for suspicions to the contrary; however I make no doubt of the sincerity of their joy, and they did very well to express it.

By whom was this address signed, by whom was it presented, to whom, to the King in person, or thro' the Lord Lieutenant? or who else, and when?

They stile themselves in the title, The Superiors of the *Catholic* Clergy, thereby arrogating to the Roman Catholics, or in the lan-

Whilst in this expression of our duty to your Majesty, we join in the universal exultation of all ranks of our fellow subjects, for the preservation of a well beloved sovereign, we, your Majesty's Roman Catholic subjects, feel an additional joy from the grateful remembrance we constantly have, that whatever happy change has been made in our situation in this Kingdom is chiefly owing to your Majesty's paternal attention to us.(*p* 5)

Our joy, may it please your Majesty, would have been as complete on the present occasion, as any human event could make it, but for the allay it receives in the affliction brought upon us by the late tumultuous meetings of some of the lowest class of those of our communion in this province(*e* 7). Yet at the same time that we bemoan the

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guage of our laws, the Papists, the honour and privilege of being the Catholich Church, to the exclusion of us Protestants, and all other Christians, who differ from them, from being members of the mystical body of Christ; if this language is suffered to prevail, and acquiesced in, it may be used as an argument to seduce weak persons, by proving from the very Creed, that they confess they believe in the holy Catholic Church, "That is our Church,—have you not "always heard it called the Catholic Church? Did you ever hear "any other Church called so? Did you ever hear the Protestants "called Catholics? Did not you always understand the words in "that sense." Weak and ridiculous as the argument is, others more so have been used by the Pope, *Ecce duo gladii hic* for example. Many a good Protestant thro' inadvertance, or *par complaisance*, has used the words Catholic as synonimous to Papist, but in solemn and formal addresses precision is necessary. Their using the phrase Roman Catholic afterwards does not cure this, it makes it worse and more dangerous, for they may say, you see the Catholic Church means the Roman Catholic Church, we addressed the King so, and so we petitioned the House of Commons.

(*d* 7) Have a care Superiors of the Catholic Clergy that your addressing loyalty and zeal do not carry you too far! It *was* supposed that the relaxation of the Penal Laws, by the Acts of 1778 and 1782 was chiefly owing to the sentiments and judgment of the Protestant inhabitants of Ireland, here you think fit to assert, that it was chiefly owing to his Majesty's paternal attention to you.

(*e* 7) Here is an acknowledgment, that the disturbances and outrages proceeded from the Papists: That the lowest class of them, shewed no disaffection to the King's person, is possible, they think little about him; but how they can be said to shew no disaffection to his Government, at the time they were trampling upon, and endeavouring radically to subvert his laws, by oaths, and armed force, to diminish his revenue, and his power of conferring favours or rewarding merit, a prime flower of his prerogative, congenial to his royal disposition, one means of giving *Stability* to the Throne, that your friend Burke said was *tottering*; when they were, in a word, combin-

the unwarrantable excesses of a lawless rabble, it is no small comfort to us to think, that we have not been wanting in what depended on us to prevent, and to remedy these evils. Our constant endeavours to

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ing against his Crown and Dignity (tho' not in the Chapels you say) This is a little difficult to be comprehended: that *overturning the Government* was, not the *immediate* motive of their proceedings is probable: It was to *rob and steal*: But if they had deprived, *or shall deprive* the Ministers of the established Church of their maintenance, what will be the consequences to that established Church, to the *Protestant Landlords, to the Government, and to the King?* and is it impossible, is it improbable, that some *deeper heads* did, and do foresee those consequences, and wish for *some of them* at least?

I will here present to the Roman Catholic Bishops and Clergy of Munster and of all Ireland, *an opportunity of testifying their allegiance to his Majesty, and good will towards the present Constitution of this Kingdom, and to promote peace and industry among the inhabitants thereof* (the ends for which the Act 1774 was passed). Let them assemble their people in their respective parishes, or apply to them individually, or both, let them instruct them, and do their best endeavours to convince them, that to pay their Tithes to the Ministers of the established Church, is as much their duty as to pay their rent to their landlords, or their debts on bond or otherwise to their Creditors, *that to withhold them in any way is robbery or theft*, THAT IT IS A DEADLY SIN, that till they repent thereof and make restitution to the utmost of their power, they cannot receive absolution nor the holy Eucharist, nor any other Sacrament of the Church, nor be entitled to any of the benefits of the Church, or of their holy religion; they may enforce this by representing to them how easy a composition has been, and would be willingly accepted for those their debts,—less in general than one half. Let them begin with this, and let them act in consequence afterwards, Let them enquire at Easter and other stations of Confessions, how their penitents have acted in this matter, and if they have not acted aright, let them refuse them absolution and the other assistance and benefits of the church. This would be a more satisfactory and convincing proof of their loyalty and good will than their taking the oath (*had they all taken it*). This *might* be called, taking an *active* part to shew their sense of their duties under a Protestant Government, taking an *active* part in support of a Protestant Government encomiums that I can not allow to any thing that Dr. Butler *alledges* he has done, or that he or any of them *have* done as far as is come to my knowledge: But I will go farther, and am bold to assert that it is their *bounden duty* thus to act, for how dare a Priest, Bishop, or Pope *absolve*, administer the Sacrament of Penance, and other Sacraments, to a man whom he knows to be *guilty*, and to continue in the constant habitual commission of, *unrepented mortal sin*, nay to boast of, and to bind himself by an oath to continue in it? And is not the *absolution* given to an *unrepenting sinner*, null, void, and of none effect? Nay, doth not the *Priest* himself incur the *guilt of mortal sin*, who thus *prostitutes the*

to promote religion, peace and good order, have not been altogether fruitless. Whatever be the guilt of the misled wretches who now disturb the public tranqullity, we have the heart-felt satisfaction of being convinced that not a shadow of disaffection to your Majesty's Person or Government is imputable to them.

We hope that the prudent measures, the firm yet merciful exertions adopted by those intrusted here with your Majesty's authority, will be sufficient to put a stop to the licentious misdeeds of a deluded multitude; and to provide effectually against a repetition of them.

We on our parts shall continue to employ our most zealous efforts to impress those under our influence, with a sense of conscientious subordination to the laws, and to exhort them ever to follow that peaceful, industrious, upright line of conduct, which alone can become them, and which the religion they profess, as well as their gratitude, dictate to be due to the justice and mildness of your Majesty's Government.

May

Sacraments?—of *sacrilege*, who thus delivers the *very body of the Lord Jesus Christ*, the Lord who bought us, whose blood was shed for the remission of our sins, to a child of disobedience and wrath, *a son of perdition*, a member of the synagouge of Satan (for such is every unrepenting sinner) nay to hundreds and *thousands of such in a day?* Now if they have acted according to what I apprehend to be their duty, (and it appears by the Titular Bishop of Limerick's letter, that they are well apprized of it, and intend to execute it when they think fit, but not in the case of detaining a just debt from a Protestant Clergyman) if they, I say, have so acted, the Peasantry of Munster have not had the Sacraments this year and half at least; if they have not acted so,——I offer these dilemmas to their consideration. Either you do not think that to deprive a man of, or to with hold from him, what is his due by the temporal laws of this land, under this Protestant Government, and recoverable in the temporal Courts thereof, is a mortal sin, or else you do daily and in numberless instances, administer the Sacraments of Penance, and of the holy Eucharist, to persons whom you know to be guilty, and to continue in the habitual constant commission, of mortal sin, without repentance, (contrition or attrition) without restitution, without promise or hope of forsaking their sin and amendment of life, but on the contrary, boasting of and swearing to continue in the same. And next—Either you think you may lawfully do so, or else you do it tho' you know it to be unlawful, i. e. you act in direct violation of your conscience, in the most awful Mysteries of religion, and the peculiar and highest powers and privileges of the Priest-hood, the remission of sins, and the consecration and dispensing of the Lord's Body. *Utrum harum mavis? accipe.*

May the Almighty God, by whom Kings reign, long preſerve your Majeſty, amidſt the enjoyments of every deſireable bleſſing, to be an example from your royal virtues, to the rulers of the earth, and to be from the unrivalled ſucceſs of your Government, the comfort and the happineſs of your people.

We are, may it pleaſe your Majeſty,
With the moſt inviolable Attachment and
Submiſſive Gratitude,
Your Majeſty's moſt
Loyal, moſt Dutiful, and
Moſt Obedient Subjects.

APPENDIX.

NUMBER 4.

To the Right Hon. and Hon. the Knights, Citizens, and Burgeſſes in Parliament aſſembled.

THE

PETITION

OF THE

(f) ROMAN CATHOLICS

OF

IRELAND,

SHEWETH,

THAT your humble petitioners have been uniformly moſt earneſt, whether in the midſt of foreign alarms, or inteſtine commotions, to prove the ſincerity of thoſe ſacred and unreſerved aſſurances

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(f 7) When was this petition drawn and ſigned? If before the clauſes were omitted or altered, why was it not preſented? (an-

rances which they gave of allegiance to their sovereign King George the Third, and zeal and good will to their country and fellow subjects (g 7).

That popular commotions are not peculiar to any period of time, any nation or religious denomination of people, but happen in every age and every country; and so far from being the offspring of the Roman Catholic tenets, that they are in open violation of them (h 7).

That in the suppression of the disturbances which happened of late in the south of Ireland, the Catholic Nobility and Gentry, their Prelates, and inferior Clergy, have been most active, and will continue the same strenuous exertions on every future occasion (i 7).

That during the late paroxisms of popular phrenzy, every thing most sacred in your petitioner's eyes, has been abused and profaned; chapels have been nailed up, and blockaded, their pastors threatened and insulted in the most opprobrious manner, and in many places driven from their parishes.

That in a Bill brought into the honourable house, they have read with equal concern and astonishment, a clause impowering the civil magistrate to pull down, level and prostrate any Roman Catholic Chapel, in which, or in the vicinity of which any unlawful oath is tendered, upon the testimony of one witness.

That they consider such a clause disgraceful to their religion, as christians, injurious to their honour, character, and loyalty, as subjects, (as naturally impressing the mind of their sovereign, with the notion that his Catholic subjects are combining in the most awful and sacred of all places against his crown and dignity,) (k 7) and

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swer they knew there was no need of it) If after, why was it drawn and signed at all? And for what purpose is it now published? Is it to conciliate the minds of different persuasions? And is it well calculated and likely to produce that effect?——It is to boast of more merit, than they have any claim to—It is to make a shew of grievances they never suffered.—It is to *insult* and hold up as an object of popular odium the *Gentleman who prepared and brought in the Bill*; a treatment he little deserves at their hands, for had he made a point of it, the clauses would probably have passed; but he readily gave them up, (and possibly had informed the petitioners before, that he would do so) and said in his place that they were inserted chiefly to notify to the Papists, that Government had an eye on their conduct, and what they could and would do, if requisite, hereafter.

(g 7) *Gratis dictum.*

(h 7) True in general, but not if tending to promote the cause of Rome.

(i 7) True as to Lord Kenmare, and perhaps some other Gentry: As to the Clergy, see what is said under No, 3, and in other places of those notes, and in other late publications.

(k 7) It is notorious the unlawful oaths were in general taken in and about the Chapels, except when they were driven by the military

and eventually destructive of the indulgence, which, of late, a mild and humane legislature has granted them, after a long trial of their fidelity, (*l* 7) while it laboured under the severest oppressions; as such a clause, besides holding forth a suspicion of the sincerity of their allegiance, has a natural tendency to afford a pretext, for repealing the favours already granted to the whole body of their communion, in case any deluded individual, either actuated by licentiousness or stimulated by their enemies, should oppose the magistrate in the prostration of chapels which were left standing in times of persecution. (*m* 7)

That your petitioners have also seen, with great apprehensions and concern, in another clause of the said bill, to prevent outrageous obstructions

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or other force from thence, then they retired to the nearest field, where they could be in safety, and there took them; sometimes indeed they sent out nocturnal parties to administer them at private houses, but in general the Chapel was the rendezvous; there the people were summoned to attend, for that purpose and others of the like tendency, at times prefixed, there notices were posted, &c. It has not been said that the White-boys entered into a conspiracy to dethrone the King, nor do I recollect the words *against his crown and dignity* to have been used on this occasion, except it be in the indictments; and in the language of the law, every crime is so laid: and in that sense they certainly did, in and about the chapels, conspire against his crown and dignity, and in many places, and probably in the chapels, their actions amounted to *high treason*, for to assemble to redress *all* grievances is such. And it is not doubted that his Majesty is well apprized of the late transactions, that his royal mind is duly impressed with a sense of the natural and almost necessary consequences of them, that he will extend his paternal attention to us, his no less faithful subjects, also, and that thereby a happy change will be made in our situation in this kingdom.

(*l* 7) As to their long tried fidelity, it has been already considered.

(*m* 7) How consistently do they speak of their labouring under the severest oppressions, in the same paragraph in which they say their chapels were left standing in those times of persecution! How modest, decent and grateful is their representation of Government for a century, (twenty two years of which were in the reign of his present majesty, and forty-six more in those of his royal grandfather and great grandfather, sixty-eight years in all under the just and gentle rule of the House of Hanover). Severest oppressions! Times of persecution! Father Burke could have said no more! But methinks the long tried lenity of that government might have quieted their fears, and given them full assurance that, if the clauses had passed, no strict, much less unjust enforcement of them would have ensued.

obſtructions of divine ſervice, that any protection of the Roman Catholic Chapels is carefully avoided, while the diſſenting meeting houſes are ſpecifically provided for, in an equal degree with the churches of the eſtabliſhed religion. (*n* 7) A diſtinction which your petitioners can conſider in no other light, than as meaning to lay their houſes of worſhip open to all the violations of any lawleſs rabble (*o* 7), and thereby bring additional diſreſpect upon that only influence in their power, which they have ſo anxiouſly exerciſed to preſerve peace and order. (*p* 7)

That, amidſt the profligacy of morals, of late ſo prevalent amongſt the lower orders, who have ſhaken off that reſtraint, under which they had been heretofore kept by their paſtors, and from other collateral cauſes, it is to be feared, that the utmoſt advantage would be taken of ſuch an apparent liberty; and it is but too evident, that not only one witneſs, but ſeveral could be eaſily found, who would ſwear before a magiſtrate, that ſuch oaths as are prohibited, had been tendered in the ſpecified places, although no ſuch oaths had been ſo adminiſtered. (*q* 7)

For

(*n* 7) As to the Proteſtant Diſſenters, the truth is, that although we cannot look upon them as *altogether* as good friends to the conſtitution in church and ſtate, as the members of the eſtabliſhed church; yet we cannot conſider them as *altogether* ſo inimical to either, as the Papiſts; this our ſtatutes have long evinced, and therefore we think them entitled to greater attention and care;—beſides that we have not heard that there were any bodies of or individual Proteſtant Diſſenters concerned in the late inſurrections, or that any unlawful oaths were taken at any of their Meeting Houſes.

(*o* 7) Why the petitioners could conſider this in no other light than as meaning to lay their chapels open to all the violations of any lawleſs rabble, I cannot conceive: No protection was hereby taken away from them, they would have had the ſame ſecurity and protection which they had before; beſides the lawleſs rabble all over Ireland are Papiſts, eſpecially in Munſter. This is *another compliment to Mr. Attorney-General.*

(*p* 7 Were we to judge of this influence, either from the anxious exerciſe of it, which we have touch'd upon, or any effects which we have ſeen from it, it would appear little indeed; but it is not ſo—more vigorous and better directed exertions would have produced more ſalutary effects.

(*q* 7) Would it be eaſy to find Papiſts who would perjure themſelves, in order to have their own chapels pulled down, which they muſt look on as ſacrilege? How much more eaſy muſt it be to find thoſe who would perjure themſelves in any other caſe! It would be no more eaſy to prove this crime than to prove any other, as robbery, &c. Nay, it would have been much more difficult, and hardly practicable to prove it, if not true; for robberies and

For the above reasons, and many more, which will occur to the wisdom of parliament, your petitioners, confiding in your justice, most humbly pray your honours not to pass such a clause into a law.

Richard O'Reily, in the name, and on the behalf, of the Roman Catholic Clergy of Ulster.

John Troy, in the name, and on the behalf, of the Roman Catholic Clergy of Leinster.

James Butler, in the name, and on the behalf, of the Roman Catholic Clergy of Munster.

Philip Philips, in the name, and on the behalf, of the Roman Catholic Clergy of Connaught.

Kenmare, in the name, and on the behalf, of the Roman Catholic Gentry and Laity.

APPENDIX.

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such crimes may be and generally are committed in private, whereas a transaction of this kind must have been public and notorious, or the accusation would have met with no credit; and I believe the petitioners themselves do not think that one or several oaths, would have been thought sufficient to convict, without many concurrent circumstances; the conduct of government, of the magistracy, and of private persons of every degree, from those whom high station might be supposed to render tyrannical, to those whom low station might render profligate and turbulent, for an age past, is a striking proof of this; the petition itself declares their chapels were untouched in what they call times of persecution, we all know it of our own knowlege; and as a corroboration, let it be observed, that the laws most analogous to this, have hitherto been left without execution, in neglect and contempt of the statutes themselves, and the repeated recommendations from the Viceroy, and from both Houses of Parliament It is therefore without any just ground of apprehension, nay, I may say, without any apprehension really entertained, after sober reflection, that such ungenerous and ungrateful suppositions are made. I will own, that when the bill was first brought in, I was against the clause, and still I am not sorry it was omitted; but the more I have considered it, the less objectionable I find it; and if all the gentlemen in the house had bestowed as much consideration upon it, perhaps it would have continued part of the bill, and been now part of the act. Another

flagrant proof of their malevolence and want of candour or the least gratitude, here presents itself. Although by this very act, and in this very clause of it, of which they complained most groundlessly, that it could be considered in no other light, than as meaning to lay their houses of worship open to all the violations of any lawless rabble, there is now a protection extended to their chapels, which they never had before; no not even since 1782; nay, as great as is vouchsafed to the churches of the church of Ireland as by law established! Notwithstanding this, they make no acknowledgment for it, they make no mention of it, they leave it to be buried in oblivion, unless they should have occasion to call down punishment for the breach of it. But so it would be, were they to be put upon a par with us in every thing else; for they ought to be above us, nay, we ought to be annihilated, and they alone ought to exist!

APPENDIX.

NUMBER V.

RESPONSIO

DOCTORUM

Facultatis Theologiæ Parisiensis Consultationi ad se nuper ex Hibernia transmissæ.

CONSULTATIO.

VERÆ Religionis, (r 7) totiusque Reipublicæ vehementer interest, ne Regibus aut Populis invidiosa gravisque reddatur piæ matris Ecclesiæ doctrina. Hujus in mali fugam attentâ cogitatione jugiter incumbunt plerique omnes qui Catholicæ fidei in Hiberniæ regno perseverantiam retinent.

Ut

(r 7) The translation does not present exactly the same ideas with the original. They say, the Roman Catholics of Ireland are very studious to prevent their doctrines being offensive or odious to the King and to the people, and that they may more happily carry on this just and prudent design, which certainly is the only one which can render them secure, especially in this evil or unjust time, they wish and beg the Divines of the Sacred Faculty of Paris (whose great diligence in the defence of the Catholic truth is so much commended) would give them their opinions of the Doctrine of the Articles herein after set forth; and it would likewise be very useful and agreeable if they will open their opinions of the oath adjoined to these articles, and whether the Irish Catholics can, without *any sin*, take such an oath, proposed to them in the name of public authority.

At

APPENDIX.

NUMBER V.

THE ANSWER OF THE DOCTORS OF THE FACULTY of DIVINITY of PARIS,

TO THE CONSULTATION, LATELY TRANSMITTED TO THEM FROM IRELAND.

THE CONSULTATION.

IT is of great importance, not only to the true religion, but to the community at large, that the doctrine of our holy mother the church, be not rendered odious or offensive to nations and kings. To guard against this evil has ever been a matter of serious attention, to the generality of those, who continue still, in the kingdom of Ireland, to profess the faith of the Catholic Church.

A conduct

At first it is not easy to comprehend why they speak of the articles and of the oath as separate things, whereas the articles appear to be only the oath taken to pieces; and not till after reading the consultation several times, has it occurred to me, that by the articles they mean those parts of the oath, which relate to religious tenets, and by the oath they mean that part wherein they were to swear allegiance to King George, and abjure it to the Pretender. Still there appears some confusion and obscurity which I will endeavour to unravel and clear up. In the first consultation, the allegiance to King George made the first article; and in the second article, they had blended their profession that the Pope has no temporal power here, with that of no other foreign Princes having any. When in ten months time they found, (for it is absurd to suppose there was no intercouse between them and the Sorbonne during all that time) that eleven Doctors had signed, and that the rest were ready to sign, that they knew nothing about the English Constitution, or by what accidents and laws King George had ascended the throne, and claimed it for himself and his posterity, or whether any foreign Lord has any civil power in Ireland or not, that it was none of their business to explore such things or give any answer to them, and that they were therefore resolved to say nothing at all, *in their answer*, about them: but that certainly they might swear allegiance to their *lawful* King, especially one who is in actual possession of the crown, and may transmit it to his posterity. When they found this, I say, they sent their second consultation, in which they intirely omit the two questions, that of allegiance to King George, and of disclaiming all power in any foreign Prince, and thereby commanded silence to the Sorbonne about them, and only desire their opinions on the religious Tenets; that they got very speedily, as the point had been long before publicly determined by themselves, by the Gallican Church, Universities, Arrets of Parliament, and Royal Edicts. But the Irish Catholics, (doubting perhaps that they had declared those omitted articles unlawful) still desired to see all they had said upon it, and they sent the very copy of the first consultation, and a specimen (not a sketch) of the answer then given: All this indicates a correspondence on the subject, and it would seem the answer to the second had been sent or delivered first, and the other desired afterwards: Thus the first article of the first consultation being omitted, part of the second article becomes the first in the second consultation. But why is the Sorbonne, which has no *jurisdiction* even in France, consulted by the Irish, who have no more connection with the French church than with the Spanish? Why did they not consult the Pope, &c. who have jurisdiction? (they had ample time for it) then they determine for themselves, without waiting for the Sorbonnes answer, or asking the Pope the question, then they consult the Sorbonne on points in which they knew their opinions perfectly well before, because they had repeatedly declared it in print; and why did they *then* ask the questions; to strengthen (say they) the general character of our religion,—to shew our taking the oath was not through

selfish

selfish policy, and to prove that the principle of obedience to the established Government is not peculiar to Irish Catholics. And would an answer in the affirmative to all the five points prove this? There is not one word of their allegiance to King George, or their motives for taking the oath; and who ever imagined that none but the Irish thought, or that it was not the *general* doctrine of Catholics, that obedience was to be paid to the established government? *(Salvo jure Romani Pontificis)* And to whom was this to be shewn? Their Prelates, Clergy, and learned Laity knew the opinion of Sorbonne long before; the lower class of Papists knew nothing of the Sorbonne, nor wanted any confirmation of what they should be taught by their Prelates and Priests: The Protestant Clergy and learned Laity knew it also, the others would not pay attention to it; and further, this consultation and answer was concealed from them for eleven years, and then came out on an occasion that could not have been foreseen, and in answer to a man who did not reflect, and who has repeatedly declared under his hand to Dr. B. that he did not mean to reflect, on their sincerity: It is produced therefore with an ostentatious parade, to furnish empty talkers with high-sounding words, and a false appearance of argument; to deceive and blind, or throw dust in men's eyes, and to impose on the weak and inconsiderate, who may be led away from the question: We say, the Church of Rome holds certain doctrines; and in proof we quote Canons, Bulls, Breves, approved writers of all ranks, and the practice of centuries: You answer, the Sorbonne and the Gallican Church do not hold them: We know it, but it is nothing to the purpose, unless you shew that *their* authority is greater than those we have produced; And it is used to prove what it does not prove, nor mention, nay, what it refuses to mention, that they justify your swearing allegiance to King George, and disclaiming the power of any foreign Prince, which may, and probably does, mean the Pretender and his successors, for none ever thought of disclaiming a right in Prester John or the Cham of Tartary. It is very likely that some of those doctors are of opinion, that King George is not, and that the Pretender is, the lawful King; and that in due time they might be induced, though Theologists, to study the point, and to declare that the King of Sardinia, or the King of France, is lawful King, and that all Irish Catholics, under pain of sin, are bound to pay him allegiance; if they should, what weight would it have with them? For it certainly ought to have *some*, with those who desired the opinion of the Sorbonne on their allegiance to King George, and abjuration of the Pretender, or to what purpose did they ask it? It is remarkable the Sorbonne restrict the succession to the King's *posterity*, and the oath itself expresses it only by the King's *family*. Yet it might have been as well if this, like former oaths, had made the promise to be to defend the succession as limited by act of Parliament, to the Princess Sophia and the heirs of her body, being Protestants. However this is, the less material now, as his Majesty is blessed with so numerous an offspring, that there is the highest

Ut autem felicius promovere possint æquum illud sapiensque consilium (quod certè solum, hoc iniquo præsertim tempore, Catholicis Hibernis sospitale est) exoptant illi & petunt enixè, ut de articulorum mox describendorum doctrinâ sententiam suam & testimonium edant Theologi Sacræ Facultatis Parisiensis, cujus eximia ad Catholicæ veritatis defensionem diligentia tantoperè commendatur.

Res quoque perutilis & gratissima ab iisdem præclaris Doctoribus fiet, si velint simul aperire quid existiment de jure jurando quod hisce articulis adjungitur. Protestne citra culpam omnem ab Hibernis Catholicis dici ejusmodi Sacramentum, iis publicæ autoritatis nomine propositum? Ipsorum porrò articulorum tenor ille est, qui sequitur (1).

ARTICULUS

(1) Duplex Consultationis exemplar, ex Hiberniâ ad Parisienses Theologos, anno 1775, delatum est; alterum alteri, maximâ parte consentiens: unum verò, decem ferè mensibus, prævium. Hoc inter utrumque discriminis aderat: quòd articulus quidam, in posteriore prætermissus, priori insertus legeretur. Spectabat ille ad obsequiosam fidem familiæ apud Anglos nunc imperanti præstandam ab Hibernis, denegandam autem alii cuivis Principi qui Regium in Angliâ sibi jus arrogaret. Peculiari postulato quod illuc attinebat, suam, ut quæsitis cæteris, responsionem adjunxerunt Doctores undecim Sacræ Facultatis.

Nec dubium erat quin huic ipsi responsionis eorum parti plures alii mox suffragarentur, nisi secundum Consultationis exemplar, articulum prædictum resecans, de eodem silentium Doctoribus jussisset. Cum autem jàm aveant, ut fertur, Hiberni Catholici, rescire penitùs qualis de suppressâ questione sententia ferri cæperit: ut illorum votis satisfiat, ipsam primæ Consultationis formam, cùm traditæ responsionis specimine, hic oculis subjicimus.

Sacramentum

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probability, there never will be wanting one of his *posterity* to sit on the throne of these kingdoms.

It is manifest then, that the author doth endeavour to impose on the world, when he says, the Sorbonne justify in *the most explicit and unequivocal terms*, the measures Dr. B. and his suffragans of Munster had pursued; for they do not justify at all one of the most material parts, namely, swearing allegiance to King George, and abjuring the Pretender, on the contrary, they say they know nothing about it, and are *resolved* to say nothing (*in their answer*) about it.

A conduct regulated by juſtice and prudence, is their only protection, particularly at this critical period, to ſupport it therefore in future is clearly their intereſt; but, leſt intereſt ſhould ever ſway them in oppoſition to conſcience, they wiſh, and it is their earneſt requeſt, that the doctors of the ſacred faculty of Paris, ſo renowned for their zeal in defence of the Catholic Faith, may be pleaſed to declare their ſentiments concerning the doctrine contained in articles hereinafter ſet forth.

It will afford them alſo much benefit and ſatisfaction to have the ſentiments of the ſame learned doctors, concerning an oath of which the form is annexed to the above mentioned article. Should the oath be propoſed to them by public authority, they deſire to know whether they can take it, without any offence whatſoever againſt the law of God?

The Articles runs thus (1)

ARTICLE

(1) In the year 1775, the divines of the univerſity of Paris received from Ireland two copies of a conſultation, one of them about ten months before the other. They both agreed in moſt points, with this difference, that the firſt contained a certain article, which was left out in the ſecond. This article regarded the allegiance to be paid by the Iriſh to the family now on the throne of England, and refuſed to any other prince, that might claim a right to that throne To the particular quere that related to this article, eleven doctors of the ſacred faculty gave their anſwer, as well as to the others. Nor was there a doubt but that many more would have joined them in that part of their anſwer, had not the arrival of the ſecond copy of the conſultation, in which the above article was not inſerted, rendered the doctors ſilent with regard to it. But as it is ſaid the Iriſh Catholics are now deſirous to be thoroughly informed, what the opinion was, which the doctors had begun to give concerning the ſuppreſſed article, we here inſert a copy of the firſt conſultation, with a ſketch of the anſwer then given.

ARTICULUS PRIMUS.

" Ego A. B. Omnipotentem Deum & Filium ejus unicum Jesum
" Christum Redemptorem nostrum attestor, & profiteor me non cre-
" dere

Sacramentum quod à Rege, supremoque Hiberniæ Senatu, Catholicis illius regni subscribendum proponitur.

ARTICULUS PRIMUS.

" Ego A. B. omnipotentem Deum & Filium ejus unicum J. Chri-
" stum Redemptorem nostrum testor, me fidelem fore, sincerumque
" obsequium optimo Regi nostro Georgio tertio præstiturum, meque
" illum, quantum in me erit, defensurum adversùs conjurationes om-
" nes & machinationes à quibus ipsi, imperio ejus, vel dignitati peri-
" culum fuerit; meque, pro virili parte, aperturum palmaque suæ
" Majestati facturum proditiones omnes quæ in ipsum parari possint:
" insuper, ex animo spondeo, me adversùs quemlibet alium, suæ Ma-
" jestatis familiæ successionem in regnum, omni quâ possum ope
" tuiturum, propugnaturum, defensurumque; hoc ipso prorsùs adji-
" ciens & abjurans obsequium quodcunque, vel fidem ergà illum, qui
" personam & nomen Regis Angliæ, titulo Caroli tertii, sibi sump-
" sisse fertur, & ergà quemcunque alium jus in sceptrum horum reg-
" norum vindicantem sibi, aut arrogantem."

RESPONSIO.

Nos infrà scripti Sacræ Facultatis Parisiensis Doctores, de Formulâ Sacramenti *Catholicis in Hiberniâ nuper propositi, sic censemus.*

" Nostrum non esse de primo Formulæ hujus articulo Consilium
" aliquod edere, vel responsum. Anglorum ditioni & regno planè
" sumus alieni; nobisque, ex Theologico munere, ea profectò cura non
" incumbit, ut exploremus, quid regimen Angliæ politicum ferat:
" quibus rerum eventis & juribus, Augustissima Georgii tertii persona,
" ad regnum majoris Britanniæ, pervenerit; illud ve sibi & suis pro-
" prium vindicet.

" Sed non ideò dubitamus, quin Sacramenti huic articulo similis,
" omnes ac singulas partes jurare liceat, ad spondendum fidele obse-
" quium Principi cuique, legitimè confirmato tùm in regnandi jure,
" tùm in jure ipso transmittendi posteris suis hereditariam regni digni-
" tatem."

ARTICULUS

ARTICLE THE FIRST.

I A. B. do call Almighty God and his only Son Jesus Christ my Redeemer to witness, and I do profess that I do not believe the Pope has

AN OATH,

Proposed by the King and Parliament of Ireland, to the Catholics of that kingdom, to be by them taken and subscribed.

ARTICLE THE FIRST.

I A. B. do call Almighty God and his only Son Jesus Christ my Redeemer, to witness that I will be faithful, and bear true allegiance to our gracious sovereign George the third, and that I will defend to the utmost of my power against all conspiracies and plots, that may threaten his person, government and dignity; and that I will, to the best of my power, make known and discover to his Majesty all traiterous attempts that may be made against him; and further I sincerely promise to support, maintain and defend, with my whole might, the succession of his Majesty's Family to the Crown, against any other person whatsoever; hereby renouncing and abjuring all obedience or allegiance whatsoever to the person, who is said to have assumed the stile and title of King of England, under the name of Charles the third, and to any other person whatsoever, claiming or arrogating to himself a right to the Throne of these Realms.

THE ANSWER.

We, the underwritten Doctors of the Sacred Faculty of Paris, are, with regard to the Oath lately proposed to the Catholics of Ireland, of Opinion as follows, viz.

That it belongs not to us to give any answer or advice, relative to the first article of said oath. We are utter strangers to the government and kingdom of England: nor is it by any means our business, as divines, to examine what may be consistent with its political constitution: nor by what rights and events the august person of George the Third has ascended the Throne of Great Britain, and claims it as his property, and that of his family.

We doubt not however, but an oath, similar to the present article, may be lawfully sworn as to all its parts, to promise true allegiance to any prince whatsoever, confirmed by law in the rights of reigning, and in that of transmitting the royal dignity by inheritance to his posterity.

ARTICLE

" dere Papam ullam temporalem aut civilem jurisdictionem, potesta-
" tem aut imperium directe vel indirectè, intra Hiberniæ regnum ha-
" bere vel habere debere.

ARTICULUS

Articulus Secundus.

" Itèm profiteor me non credere Papam, aut alium externum
" Principem quemcunque, Rempublicam, aut Regem, ullam tempo-
" ralem aut civilem Jurisdictionem, potestatem, principatum, aut
" imperium directè vel indirectè infrà hoc regnum habere, *vel ha-*
" *bere debere.*".

Responsio.

" Secundus Sacramenti ejusdem articulus partes quas oportet, pri-
" usquam consulentibus respondeamus, discernere.

" Pars prima, firmam persuasionem exprimit, de *nullitate* tem-
" poralis, *infrà Hiberniam*, Jurisdictionis, quæ Pontifici Romano, vi
" spiritualis autoritatis, directè vel indirectè competat.

" Pars altera, parem quoque sententiam declarat, de *nullitate*
" civilis cujuslibet, *intrà Hiberniam*, potestatis, quæ ulli externo
" Regi, vel Domino, nomine qualicunque, attributa sit.

" Censemus autem, primam partem modò expositam, salvâ fide
" & tutâ conscientiâ, à Catholicis Hibernis jurari posse. Imo huic
" parti contradici nequit, nisi simul accedatur ad Antonis Sancta-
" relli doctrinam, olim Theologis reprobatam (anno 1626) *velut*
" *dignitati Pontificiæ odium conciliantem, supremæ Regum autoritati*
" *à Deo solo dependenti derogantem, Principum infidelium & hæretico-*
" *rum conversionem impedientem.*

" Prætereàque pars eadem apprimè consonat 1°. articulo celebris
" Declarationis, anno 1682, à Clero Gallicano datæ, ex quâ Galli
" Theologi, non modò sentiendi legem optimam capiunt, sed eidem
" ipsâ Religione se quotidie obstringunt.

" Quantum verò pertinet ad partem alteram, quæ rejicit omnem
" *intrà Hiberniam*, Domini cujusvis externi potentiam civilem, mani-
" festum est, totam hanc articuli secundi partem ad genus earum
" rerum, quæ politicis juribus proximæ & conjunctæ sunt. De qui-
" bus inter respondendum omninò tacere, propter causas jàm expli-
" catas, animum induximus.

" Admonere tamen hîc rursùm expedit non idcircò nos in dubium
" vocare, an simili juramento, fas sit obedientiam spondere Principi,
" qui secundùm jura & leges Regnum obtineat, à posteris ne legitimâ
" pariter hæreditate possidendum.

" Cæterùm, nihil novi se prodit, in secundâ parte præsentis arti-
" culi, quod magis ab ipsius, quam ab articuli primi, subscriptione
" impedire debeat. Quandoquidem istius secundæ partis fundamentum
" omne, in primo articulo, sternitur: nec satis sibi constarent illi,

has or ought to have, directly or indirectly, any temporal or civil power within the kingdom of Ireland.

ARTICLE

Article the Second.

I also profess that I do not believe the Pope, nor any other foreign Prince whatsoever, or any King or Commonwealth, has or *ought to have*, any temporal or civil jurisdiction, power, pre-eminence or authority within this realm.

The Answer.

The second article of the oath contains two parts, which we must distinguish before we answer.

The first part expresses a firm persuasion of the *nullity within the kingdom of Ireland*, of all temporal jurisdiction, as belonging to the Bishop of Rome, directly or indirectly, by virtue of his spiritual authority.

The second part professes a like persuasion of the *nullity within the kingdom of Ireland*, of all civil jurisdiction or power, attributed, by any title whatever, to any foreign King or Potentate.

Now we think that the first part, as above set forth, may, without prejudice to faith, and with a safe conscience, be sworn by the Catholics of Ireland. Nay, this part no body can contradict, without acceding to the doctrine of Anthony Sanctarel, formerly (in 1626) censured by the divines of Paris, as *bringing an odium on the Papal Dignity; lessening the supreme authority of Kings, dependent on God alone; impeding the conversion of Infidel and Heretical Princes.*

Besides, this part is perfectly consonant with the first article of the famous declaration published by the clergy of France in 1682, which the French Divines not only take for the standard of their opinions, but bind themselves every day by oath to adhere to.

As to the second part, which disclaims, *within the kingdom of Ireland*, all manner of civil power, as belonging to any foreign lord whatsoever, it is evident that the whole of this part of the second article, is of the nature of those doctrines, that are intimately blended and interwoven with political rights and constitutions; concerning which, we are resolved, for the reasons above mentioned, to be entirely silent in our answer.

It is proper however here again to observe, that we do not therefore entertain any doubt concerning the lawfulness of promising allegiance, by a similar oath, to any prince, who, agreeable to the constitution and the laws, is in actual possession of the Royal Dignity, on terms of transmitting it also by lawful inheritance to his posterity.

Upon the whole, there appears no new matter in the second part of the present article, that ought, more than the first article, to prevent the subscribing of it; as the whole foundation, on which the second part bears, is previously laid in the first article: and it

ARTICULUS SECUNDUS.

" Profiteor quoque me repudiare ac deteſtari Doctrinam illam à " Chriſtiano ſpiritu alienam, & impiam : ſcilicet eſſe licitum, quem- " cumque vel quoſcumque, eo nomine quod ſint Hæretici, occidere " vel è medio tollere ; atque etiam à Chriſtiano ſpiritu alienum nec " non impium illud placitum, nullam nimirum cum Hæreticis ſer- " vandam eſſe fidem.

ARTICULUS TERTIUS.

" Inſuper profiteor me fide nullatenus credere, imò reſpuere me " opinionem illam : nempe principes excommunicatos à Papâ, vel " à Papâ ſimul & Concilio, vel quâvis Romanæ ſedis autoritate, vel " autoritate aliâ quâcunque, poſſe à ſuis ſubditis, aut à quolibet alio " deponi vel necari ; ideoque promitto futurum ut talem opinionem, " aut etiam qualemcumque verbis hujuſce declarationis contrarium, " nec teneam, nec propugnem, nec foveam.

ARTICULUS QUARTUS.

" Denique palam profiteor, me hæc proferre obvio & conſueto " verborum ſenſu, omni ſemotâ tergiverſatione, æquivocatione, vel " reſervatione mentali ; certòque teneo à nullo Papâ vel Concilio, " aut ullâ in terris Poteſtate, me *poſthac*, aut *quavis abſolutione vel* " *diſpenſatione jam conceſſa, abſolvi poſſe vel eximi ab obligatione quam* " *per hoc Sacramentum, aut per ullam ejus partem contraho. Sic me* " *Deus adjuvet.*

RESPONSIO.

Nos infra ſcripti Sacræ Facultatis Pariſienſis Doctores, de articulis modo relatis, ac memorato ſuprà jure jurando ſic cenſemus.

I. *Salvâ Fidei veritate & tutâ conſcientiâ, poteſt primus articulus ab Hibernis Catholicis jurari.*

Hoc articulo id duntaxat enunciari intelligitur ; ſcilicet nullum eſſe juris temporalis ſpecimen, quæ Romano Pontifici in aliquod reg-

" quibus nullum primus articulus ; aliquem hæc ſecunda " pars ſcrupulum injiceret."

N. B. Quidquid in primæ Conſultationis & ſubnexæ reſponſionis contextu reliquum erat, id in exemplari præſenti accuratè deſcriptum, novis annotationibus auctum, nullis autem partibus imminutum continetur.

ARTICLE THE SECOND.

I alſo profeſs that I renounce and deteſt that unchriſtian and impious doctrine, that it is lawful to kill or deſtroy any perſon or perſons, merely becauſe they are Heretics; as alſo that impious and unchriſtian opinion, that no faith is to be kept with Heretics.

ARTICLE THE THIRD.

I further profeſs that it is no part of my belief, nay, that I reject the opinion, that Princes excommunicated by the Pope, or by the Pope and Council, or by any authority of the See of Rome, or by any authority whatſoever, may be depoſed or put to death by their ſubjects, or by any other perſon whatſoever; and therefore I promiſe that I will not hold, maintain or countenance that, or any other opinion contrary to the words of this declaration.

ARTICLE THE FOURTH.

Laſtly, I freely profeſs that I utter theſe things according to the obvious and uſual meaning of the words, without any evaſion, equivocation, or mental reſervation: and I hold it for certain, that I cannot *hereafter*, by any Pope or Council, or by any power upon earth, or *by any abſolution or diſpenſation already granted, be abſolved, or freed from the obligation I contract by this oath, or by any part of it, ſo help me God.*

THE ANSWER.

We the underwritten Doctors of the Sacred Faculty of Paris, do give our opinion as follows, concerning the above Articles, and the oath before mentioned.

I. *The firſt Article can be ſworn by the Catholics of Ireland, conſiſtent with the Truth of Faith, and with a ſafe Conſcience.*

By this Article no more is underſtood to be expreſſed, than that the Roman Pontiff has not, by divine appointment, either directly or indirectly,

would be an inconſiſtency, in one that did not heſitate at the firſt article, to make any ſcruple of this ſecond part.

N. B. The remaining part of the firſt conſultation, and of the anſwer annexed to it, is carefully tranſcribed in the ſequel of the copy with additional obſervations and no retrenchments whatſoever.

regnum, (putà Hiberniæ) directè vel indirectè ex Dei ordinatione competat. Ejus autem rei firmam persuasionem sibi inducere meritò possunt Hiberni Catholici; eamdemque, si admota fuerit occasio, etiam adhibito jure jurando declarare.

Ex ipsis nimirum Christi Domini dictis, *regnum meum non est de hoc mundo*, itemque, *reddite quæ sunt Cæsaris, Cæsari, & quæ sunt Dei, Deo*, luculenter innotescit (‡) rerum civilium ac temporalium potestatem B. Petro ejusque Successoribus à Deo non fuisse traditam, vel annexam potestati rerum spiritualium & ad æternam salutem pertinentium.

Neque verò refragari quisquam posse videatur primo huic-ce articulo, nisi propriùs accedat ad Antonii Sanctarellii doctrinam olim (1) à Theologis Parisiensibus reprobatam, *velut dignitati Pontificiæ odium conciliantem, supremæ regum autoritati à Deo solo dependenti derogantem, Principum Infidelium & Hæreticorum conversionem impedientem.* (2)

Denique nihil istius articuli professione continetur, quod apprimé non consonet primo articulo celebris Declarationis, anno 1682 à Clero Gallicano datæ (3), ex quâ Galli Theologi non modò sentiendi legem optimam capiunt, sed eidem ipsâ religione se quotidie obstringunt.

Jam

‡ Vid. infra pag. 6. Art. primum Declar. Cleri Gall. ann. 1682.

(1) Anno 1626.

(2) Vid Collect. Jud. *d'Argentré, Tom. II. part. II. p.* 212.

(3) " Beato Petro, inquiunt Archiepiscopi & Episcopi mandato " Regis Parisiis an. 1682 Congregati, ejusque Successoribus Christi Vi- " cariis, ipsique Ecclesiæ rerum spiritualium, & ad æternam salutem " pertinentium, non autem civilium ac temporalium à Deo traditam " potestatem, dicente Domino *Regnum meum non est de hoc mundo*; " & iterum, *reddite ergo quæ sunt Cæsaris, Cæsari: & quæ sunt Dei,* " *Deo*; ac proinde stare Apostolicum illud: *omnis anima potestatibus* " *sublimioribus subdita sit: non est enim potestas nisi a Deo: quæ autem* " *sunt a Deo ordinatæ sunt. Itaque qui potestati resistit, Dei ordinationi* " *resistit.* Reges ergo & Principes in temporalibus, nulli Eccle- " siasticæ potestati, Dei ordinatione, subjici, neque autoritate clavi- " um Ecclesiæ, directe vel indirectè deponi, aut illorum subditos ex- " imi à fide atque obedientiâ, ac præstito fidelitatis Sacramento " solvi posse, eamque sententiam publicæ tranquillitati necessariam, " nec minus Ecclesiæ, quam imperio, utilem, ut Verbo Dei, Patrum " traditioni, & sanctorum exemplis consonam, omnino retinendam.

indirectly, any ſpecies of temporal authority over any Kingdom, for inſtance, that of Ireland. The Catholics of which may juſtly bring themſelves to a firm perſuaſion of this Article; and the ſame, when occaſion offers, they may declare upon oath.

(ſ 7) From the very words of our Lord Jeſus Chriſt: *My Kingdom is not of this world*; and *give unto Cæſar the things that are Cæſar's, and unto God the things that are God's.* We learn that no civil or temporal power was given by Almighty God to St. Peter and his ſucceſſors, nor annexed to the power in ſpiritual matters, that regard eternal ſalvation

Nor does it appear that any one can diſſent from this article, without acceding to the doctrine of Anthony Sanctarel formerly (1) cenſured by the divines of Paris, as *bringing an odium on the Papal Dignity; leſſening the authority of Kings, dependent on God alone; impeding the converſion of Infidel and Heretical Princes.* (2).

In ſhort the profeſſion of this article contains nothing, but what is perfectly conſonant with the firſt article of the famous declaration publiſhed by the Clergy of France, in the year 1682, which the divines of that Kingdom not only take for the ſtandard of their opinions, but bind themſelves every day by oath to adhere to (3).

An

(1) In the year 1626.

(2) See Collect. Jud *D'Argentre*, Tom. II. part. II. pag. 212.

(3) "God," ſay the Biſhops and Archbiſhops aſſembled in Paris by his Majeſty's command in the year 1682, "God gave to St. Peter "and his ſucceſſors, the vicars of Chriſt, a power in ſpiritual matters "and ſuch as regard eternal ſalvation, but not in civil and ſpiritual "affairs, agreeable to theſe words of our Lord: *My Kingdom is not* "*of this world*; *and again, render therefore unto Cæſar the things that* "*are Cæſar's, and unto God the things that are God's*; and therefore "the Apoſtle's doctrine ſtands good: *Let every ſoul be ſubject unto the* "*higher powers; for there is no power but of God: the Powers that* "*be, are ordained of God.* Kings therefore and Princes in the tem- "poral concerns, are not, by divine ordinances, ſubject to any ec- "cleſiaſtical power; nor can they, by the authority of the keys, "either directly or indirectly, be depoſed, or their ſubjects freed "from the loyalty and obedience they owe them, and abſolved of "their oath of allegiance; and this doctrine being neceſſary for the "peace of ſociety, and no leſs uſeful to the Church than to the State, "muſt by all means be adhered to, as agreeable to the word of God, "to the tradition of the fathers, and to the examples of the ſaints.

(ſ 7) Whether the Sorbonne's refutation of the Pope's claims to temporal power is concluſive imports not us, who deny him any power but in his own Dioceſe and Dominions; but that he claims this temporal power is ſufficiently evinced by the proceedings of the Univerſities, Church, Parliaments, and Kings of France impugning the ſame; were other proofs wanting.

Jam an. 1680, conveniens cum præsenti, sententia prolata est, à sexaginta Doctoribus Sacræ Facultatis Theologiæ Parisiensis, circa Sacramentum Anglicanum de regum supremâ autoritate à nullo dependente.

II. *Geminas partes articulus secundus complectitur; prima prospicit ne justa lenitas erga Hæreticos, altera, ne fides ipsis promissa violetur.*

Utramque verò hanc partem sentimus piè jurari posse: quin etiam rerum ita ferentibus adjunctis, jurari debere *& propter conscientiam ipsam, & propter Catholicam mansuetudinem commendandam.* (1)

Nihil profectò à bonorum omnium animis debet longius abesse illâ Doctrinâ, quæ *quoscumque* vel *quemcumque*, eo nomine quod sint Hæretici, occidi licite posse decernit; & quæ sub Religionis obtentu, non exhibit nisi funestissima semina atque irritamenta maximorum in orbe Christiano malorum, odiorum, homicidiorum, bellorum.

Quale judicium ferre oporteat de sanguinariis hujusmodi sententiis, abundè nos edocet nota historia Beati Martini Turonensis Episcopi, communionem refugientis Præsulum illorum qui Maximo Imperatori autores fuerant ut Hæreticos Priscillianistas ferro decuteret. (2) Assiduis precibus Maximum obsecravit Sanctissimus Antistes, ut errantium sanguini parceret, satis esse dictitans, dum illi damnatoriâ Præsulum sententiâ convicti ab Ecclesiis ejicerentur. (3)

Et verò Catholicæ illæ gentes quæ hâc speciatim in parte vigilantiùs institerunt vestigiis Majorum, apud quos rara sunt exempla capitalis pœnæ denunciatæ Hæreticis, (& iis quidem sacinorosis ac seditionum faces

(1) Verba S. Aug Epist. ad Comit. Marcellin.

(2) Vid. Sulpit. Sev. Lib. II. Sacræ Hist. & Dial. 3°. de virt. Mon. Orient.

(3) Vid. Hist. Eccles. D. Fleuri, Lib. XVIII. num. 29.

An opinion similar to this was given in the year 1680, by sixty doctors of the sacred faculty of Paris, upon an oath framed in England, concerning the supreme independent authority of Kings.

II. *The second Article contains two Parts; the first provides against any violation of the lenity due to Heretics, the second, against any breach of the Faith pledged to them.*

We think that both parts may be sworn with a safe conscience; nay, and ought to be sworn, when circumstances require it, *not only for conscience sake, but also for the honour of Catholic Meekness.* (1)

There is certainly nothing that ought to be held in greater abhorrence by all good men, than the doctrine that pronounces it lawful to kill any person or persons, because they are heretics; *(t 7)* and, under pretence of religion, exhibits throughout Christendom, nothing but the seeds and incentives of the greatest evils, hatreds, massacres and wars.

What opinion we should form of those sanguinary doctrines, we learn abundantly from the well known history of S. Martin Bishop of Tours, who refused to communicate with the Prelates, who advised the emperor Maximus to put the Priscillianists to the sword. (2) *(u 7)* The holy bishop never ceased entreating the emperor to spare the blood of those deluded people, assuring him it was punishment enough for them, to stand convicted, condemned and excommunicated by the bishops. (3)

And such indeed of the Catholic Nations, as were, in this particular, more attentive to tread in the steps of their ancestors, (amongst whom there are few examples of capital punishment inflicted on heretics,

(1) S. Aug. in his Epist. to Count Marcellinus.

(2) See Sulpit. Sev. Lib. II. Sac. Hist. & Dial. 3. De Virt. Mon. Orient.

(3) See Fleuri's Eccles. Hist. Lib. XVIII. No. 29.

(*t* 7) If this is only given as the opinion of the subscribing doctors, well and good; but if it is given as the opinion of the Gallican Church, it is not true, unless it means only that they may not be murdered or put to death without sentence of law, for surely many persons have been condemned and executed to death in France for the crime of heresy; or if they have altered the law, and that heresy is not now punishable with death in that kingdom, I am sincerely glad of it. It is befitting the great and growing sense and liberality of that nation.

(*u* 7) That good St. Martin was averse to such practice, does not prove it was not the doctrine of the Church, nay we find by this very history that many Prelates approved of it, and prevailed with the Emperor to put heretics to the sword.

faces subdentibus) id imprimis præcavendum (1) duxerunt, ne suos intra fines ea novella jura invalescerent, quæ gravissimos pœnarum civilium gradus ad cuncta hæreseon, genera, nullâ temporum, locorum, & adjunctorum habitâ ratione, duriter extendunt; & luctuosam causam intulêre cur divina Christi Religio infandis adversariorum maledictis sævissimè proscindatur.

Nullam autem *cum Hereticis servandam esse fidem*, placitum est ab honestate quâvis & Catholicorum sensu ita abhorrens, ut nullâ de re graviùs conquesti sint qui contra Protestantes Ecclesiæ Catholicæ defensionem susceperunt (2), quàm quòd malignè & per calumniam de tali Doctrinâ ab adversariis suis insimularetur.

Juvat

(1) Vid. Instit. Canon. ejusdem de Fleuri, part III. cap. X.

(2) Vid. Arnold Apol. pro Catholicis, & Autores quos citat Rosweid, Swert. Vid. etiam Cochlæum in hist. Hussitarum.

heretics, and never but for acts of felony and sedition) (*w* 7) considered it as a duty of the first importance, to prevent those novel laws, from prevailing among them, which, without any regard to time, place, or circumstances, extended rigorously, to all kinds of heresy, the severest degrees of civil punishment (1); and thereby unfortunately gave occasion to all the sacrilegious abuse, that was thrown out by the enemies against the divine religion of Jesus Christ (*x* 7).

(*y* 7) As to the doctrines of *breaking faith with heretics*, it is so contrary to common honesty, and so repugnant to the sense of Catholics in general, that those, who stood forth, in defence of their church, against the Protestants, have complained of nothing more heavily, than of the malice and falsehood of such a charge (2)

Here

(1) See the same Author's Instit. Canon. Part III. Chap. X.

(2) See Arnold. Apol. for the Catholics, and the Authors quoted by Rosweid, Swert. See also Cochley's Hist. of the Hussites.

(*w* 7) It is here admitted that even in the old times heretics were condemned to death, though seldom: but they could not be so condemned if the law had not allotted that punishment for them, *ergo, &c.* The translation here is false, the original says not, *never but for acts of felony and sedition*, but *heretics and those being also evil doers and seditious.* This tends to confound, if they were executed for heresy, they were not executed for felony and sedition, though these crimes might prevent their being pardoned; if they were executed for felony and sedition, they were not executed for heresy, and therefore could not have been pertinently mentioned here.

(*x* 7) And what did those vigilant nations? (by which I suppose they principally mean France and the other countries which in later times have refused to admit the inquisition, for in France it once flourished, and I believe took its rise, against the Compt de Thoulouse and the Albigeois.) They took care that those novel laws should not prevail in their dominions, which *without regard to time, place or circumstance, extended rigorously, to all kinds of heresy, the severest degrees of civil punishment*, i. e. Tortures and burning alive. A pretty picture of the inquisition, or of any other tribunal, if any other there is, where such is the law and the practice! But this does not say that they did not hold that *some* heresy was *sometimes* and in *some* circumstances to be punished with *some kind* of death.

This is a further proof if needful it were, that by ecclesiastical laws, which must be made and exercised by ecclesiastical persons and authority, for civil laws do not take upon them to judge of spiritual crimes, persons are put to death for heresy and that therefore Ecclesiastics do directly and immediately contribute to the shedding of blood. A French Dr. of the Sorbonne, scorns to adopt the equivocations of the inquisition and its advocates or apologists

(*y* 7) This is put too generally! 'Tis not alledged that faith is not to be kept with heretics in the common intercourse of life;

Juvat hic verba ipso exscribere quibus olim S. Franciscus Salesius, in insigni cum Theodoro Bezâ colloquio, linguam occlusit huic Novatori (z 7) accusationem istam contra Catholicos instruenti (1). Cum Patres Synodi Constantiensis reos egisset Beza læsæ, in causâ Hussitarum publicæ fidei, haud cunctanter is præsul pari eruditionis & sanctitatis famâ conspicuus obtrectatori (*a* 8) respondit: criminationem illam quâ fingitur, datæ Hæreticis fidei violationem licitam apud Catholicos haberi, veterem esse calumniam; quæ toties refutata penitus atque obtrita sit, ut nescire se fateretur quonam adhuc pacto Catholicæ Religionis osores vel minimum ex tali commento subsidium repeterent: ita firmiter tenere Catholicos, nefas esse fidem homini cuilibet interpositam fallere, ut eos ab hâc sententiâ nullum possit exemplum dimovere, ne illud quidem ipsum Constantiensis Synodi factum, etiamsi non præposterè nec injuriâ objiceretur. Adjecit egregius causæ Catholicorum assertor, ea quæ Constantiæ gesta sunt pessimam in partem tracta & accepta (*b* 8) fuisse ab Ecclesiæ hostibus; illorum animos acerbioribus odiis incensos, judicandis ex veritate rebus idoneos esse non potuisse; tutelare diploma quod Joanni Hus Sigisinundus concesserat, apud Constantienses quidem in levi fuisse ac neglectui (2): quia nempe horum civitas imperatoriæ Porestati non subjiciebatur: ibi summo & libero jure urbanum præfuisse Magistratum, à quo Joannes Hus alterum recepit, ut vulgò dicitur, salvum conductum, sed certis circumscriptum legibus, quarum ipse terminos excessit; & quidquid demum de Concilii Constantiensis

(1) Vid. D. Marsollier, Lib. III. Vitæ Sancti Francisci Salesii, om. I pag. 287, edit. Parisan. 1757.

(2) Sunt qui dicant istius etiam commeatûs fidem omninò fuisse servatam, siquidem spectavit tantum ad securitatem itineris, in quo Joannis Hus nemo molestiam attulit. Vid. Nat. Alex. Hist. Eccles. Tom. VIII. dissert. 7, p. 497.

(z 7) *Novator* signifies an innovator, an author or spreader of new doctrines, and is always used and taken in a bad sense. Q. Are we obliged or not to the Author for translating it, *a learned reformer*.

(*a* 8) *Obtrectator* is a Calumniator, Detractor, Defamer. This epithet the Author omits.

(*b* 8) *Pessimam in partem tracta et accepta*, does not amount to *quite mistated and misconceived*, but that they were *treated and taken in the worst* or severest *sense*.

Here we ſhall willingly tranſcribe the identical words, with which S. Francis De Sales, in his famous Conference with Theodore Beza, reduced to ſilence that learned reformer, as he was going to urge this topic againſt the Catholics. (1) He had arraigned the fathers of the council of Conſtance for a breach of public faith in the caſe of the Huſſites: whereupon the Prelate, no leſs eminent for his learning than for his ſanctity, did not heſitate to tell him, that the charge, which ſuppoſes it lawful for the members of the Catholic Church to break faith with heretics, was nothing but an old calumny ſo often confuted, ſo perfectly annihilated, that he did not conceive, how the enemies of the Catholic Religion could expect to derive the ſmalleſt aſſiſtance from ſuch a falſhood: that Catholics are ſo thoroughly convinced of the unlawfulneſs of breaking faith with any perſon whatſoever, that no example can ever ſhake the firmneſs of their perſuaſions; not even that of the council of Conſtance, though it were not prepoſterouſly objected and without any foundation. To this the glorious champion of Catholicity further added, that the facts alluded to, in the council of Conſtance, were quite miſtated and miſconceived by the enemies of the Catholic Church: that their reſentments and animoſities were then at ſuch a height, as rendered them unfit to judge of matters according to truth: that the ſafe conduct, granted by Sigiſmund to John Huſs, was paid no regard to by the people of Conſtance, (2) becauſe their city was independent of the Emperor: that the ſupreme authority there was veſted in the city magiſtrates, who exerciſed it without controul: that from them John Huſs got another ſafe conduct, but confined by certain reſtrictive clauſes, the limits of which he tranſgreſſed: that in ſhort, whatever

(1) See D. Marſollier, Lib. III. of the life S. Francis De Sales, Tom I. Page 287, Paris Edit. 1757.

(2) There are ſome who think that even this ſafe conduct was ſtrictly obſerved, (c 8) as it regarded only John Huſs's ſafety, during his journey, in which he certainly was not moleſted. See Nat. Alex. Hiſt. Eccleſ. Tom. VIII. Diſſert. 7, Page 497.

No Proteſtant ſuſpects, and ſo the Biſhop of Cloyne expreſly declares, that a Papiſt would not pay or that he thinks he is not obliged to pay a debt due to a heretic, and other caſes of like nature. But that there are ſome caſes in which they are not obliged to keep their engagements, or may be diſpenſed from them (which is the ſame thing,) for if they were *obliged to keep them they would not be diſpenſed from them.* But this queſtion is not to be again diſcuſſed here, it has long been at iſſue, the evidence is before the public, which muſt decide.

(c 8) This would make bad worſe, as juſtifying the moſt palpable and ſhameleſs equivocation. *No man ſhall moleſt you going to jail and the gallows. A pretty protection!*

Constantiensis agendi ratione statuatur, exemplum istud pro lege in Ecclesiâ non valere: nec reapsè dubitare Catholicos quin sinceram promissorum fidem singulis hominibus exhibere debeant, quibuscumque tandem illam obligaverint. (2)

III. *Existimamus pariter tertium articulum posse, irito si casus incidet, debere à Catholicis Hibernicis jurari.*

Ne tamen vocabulum *opinionis* (*f* 8) quo articulus iste nuncupat Doctrinam de cæde & depositione Principum, laxiore & molliore sensu intelligatur. Simplex scilicet *opinionis* nomen imponi solet Doctrinis, quas Juristæ, Philosophi, Theologi, in numero *probabilium* arbitrationum reponunt, & quæ necessariis argumentis nec persuadentur, nec refelluntur. (3) Doctrina autem de cæde & depositione Principum nequaquam probabilibus sententiis annumeranda est; cum in duplex vitium incurrat: ut nempe sit *Hæretica materialiter*, id est, *Verbo Dei contraria*

(2) Abs re non fuerit annotare Clementem VIII. datis anno 1597 litteris, gratulationem fecisse B. Salesio, qui ad Sedem Apostolicam de hoc suo cum Bezâ congressu retulerat, & de statu Religionis in agro Caballicensi. Vid. Marsoll. Lib. Vitæ S. Salesii suprà citato.

(3) Vid. Elucidar. Benedicti Pereyræ, Lib. I. num. 9.

(*f* 8) This is so ill translated, I must give the whole of it—— "The word *opinion* which this article uses to express the doctrine "of the murder and deposition of princes is not to be understood "in the laxer and softer sense: for it must be observed that the "simple name of *opinion* is usually given to those doctrines which "lawyers, philosophers, and divines rank in the number of proba-"bilities, (probable arbitraments) and which can neither be made "good nor refuted by *necessary* arguments: but the doctrine of the "murder and deposition of princes, is by no means to be numbered "among probable sentences; for it is vicious two ways: namely, "it is heretical *materially*, that is contrary to the word of God, "in so far as it declares that princes may be deposed; and also "*formally*, in as much as it superadds that they may be killed."

This deserves several observations.—Some other word instead of *opinion* ought not to have been used in the oath, as that is liable to such interpretations.

When a doctrine cannot be *necessarily* proved, or refuted (which will comprehend most of the doctrines that can be imagined) it is of the number of those called *probabilities*; and in such cases it is held by many, that a man may act on either side, with a safe conscience, if two approved doctors are of that opinion, though there are many against it, consequently he may at all times, or almost all, action which soever side he pleases, though the greater probability is against it; and some say, though he himself is of a contrary opinion.

ver opinion may be formed of the conduct of the council, its example is no law in the church (*d* 8); and that Catholics are in no doubt of the obligation they are under, of dealing fairly and sincerely with all mankind, and of keeping their word to whomsoever they have pledged it. (2)

III. *We likewise think that the third Article may, and, when occasion offers, ought to be sworn by the Catholics of Ireland.*"

Let not however the word *opinion*, whereby this article denominates the King-killing and deposing doctrine, be understood as implying any degree of kindness or indulgence for it. *Opinion* is the name generally given to those doctrines, which Civilians, Philosophers and Divines rank among the assertions merely probable, and that have no evidence to militate either for or against them *. But the King-killing and deposing doctrine is not of this kind. It is evidently bad: *Heretical*, because *contrary to the word of God*: and Heretical in both senses of

(2) It may not be amiss to observe, that in the year 1597, Clement VIII. (*e* 8) wrote a letter of congratulation to S. Francis De Sales, in consequence of the account he had given the Holy See of his conference with Beza, and the state of religion in the Gevaudan. See D. Marsoillier's above mentioned book of the life of S. F. De Sales.

(*) See Elucidar. Benedicti Pereyæ Lib. I. Num. 9.

(*d* 8) What force the *decisions* of a council have, is disputed among them; however, even the *example* of a council, if it has not the *force of a law* in the church, is at least a good *rule to judge what the law is*, or you must say the council acted contrary to the law: Thus a decree of the House of Lords, though it doth not *make* law, yet it declares what *is* law, and men think they may safely act in conformity to it.

(*e* 8) The whole of St. Francis de Sale's discourse is mere unsupported assertion. Does Clement's congratulation for St. Francis's account of the Conference with Beza, and of the State of Religion in the Gevaudan, prove that Clement denied the doctrine charged? What was then doing in the Gevaudan, one of the most rude and uncivilized parts of France, I do not now remember; but it would have been worth while to insert some part of the letter, that we might judge: *Cœterum*, if the example of a council has not the force of a law in the church, much less has the letter of a Pope; (and such a Pope! who permitted the poor Irish to obey and to pay tribute to the heretical Queen Elizabeth, and at the same time animated them to join unanimously in Tyroen's rebellion against her; and granted them the same indulgences for it, as if they were fighting against the Turks) the letter of such a Pope, I say, to a *modern* saint, before he was sainted.

contraria quatenùs depori posse Principes effert : formaliter vero etiam, quatenùs & occidi posse superaddit : prout an. Dom. 1680 observatum fuit à 59 Doctoribus, Parisiensibus qui memoratam supra sententiam dixere, circa Sacramentum Anglicanum à Jacobo I. quondam præscriptum (2)

IV. *Tandem censemus jurari posse, ac debere, quartum articulum, ab illis qui in tres præcedentes articulos juraverint.*

Is enim articulus in ea partim positus est, ut aditum omnem intercludat flagitiosis mendaciorum artibus, quæ Christianum ac naturalem ipsum candorem fædissime in hoc juramento inficerent : partim ut abjiciat vesanam & fallacem fiduciam obtinendæ, vel obtentæ, validæ, alicujus absolutionis, sive *à Sacramento fidei* (3) *quo subditi erga Reges suos*

(2) Vid. Collect. Jud. d'Argentré, Tom. III. part. I. pag. 139.
(3) Vid. Conclus. S. F. Par. Tom. III. Collect. Jud. part. I. pag. 143.

The reader may with much profit and pleasure consult the Lettres Provinciales on this subject, written by a sincere catholic, and a most exemplary man.

Here we also are told, that the doctrine of killing kings has been condemned by the authority of the church, and is therefore *formally* heretical, but *that the doctrine of deposing Kings, has not yet been condemned by the authority of the church*, for it is only *materially* heretical.

But all this subtlety about material and formal heresy, or both, will be of little avail to Kings, for we are told elsewhere, and by as good or better authority, that the Pope may excommunicate or depose them for heresy or unfitness to govern, that they are *then* no longer kings, and their *quondam* subjects may kill them, and cannot be said to kill their prince ; nay, that heresy, without any sentence, deprives them of their crowns, and all rights, and absolves their subjects from all oaths, and other ties of fidelity or obedience to them.

of the word, that is to ſay, *materially and formally*: (3) *materially, in as much as it ſuperadds the lawfulneſs of putting them to death*: agreeable to what was obſerved in the year 1680 by fifty-nine doctors of the faculty of Paris, who gave their opinion, as above mentioned, concerning a form of oath formerly preſcribed in England by James the Firſt. (4)

IV. *Laſtly, we are of opinion that the Fourth Article may, and ought to be ſworn, by whoever has ſworn the three firſt.*

This article is intended, *(g 8)* partly as a bar againſt thoſe flagitious arts of falſehood, which, in an oath of this kind, would leave ſo foul a ſtain on the candour of the man as well as of the chriſtian: and partly, to baniſh the wild deluſive confidence of obtaining, or having obtained any valid abſolution, either of the oath of allegiance, (5) whereby

(3) School terms, in latin *Materialiter* and *Formaliter*. A doctrine is called *Materially* Heretical, when contrary to the word of God, though not yet condemned as ſuch: when condemned by the authority of the church, it is called by Schoolmen *Formally* Heretical.

(4) See Collect. Iud. *D'Argentré*, Tom. III. part I. page 139.

(5) See Concluſ. S. F. Par. Tom. III. Collect. Iud. part I. page 143.

(g 8) This very very well between plain honeſt men, but a caſuiſt would find many evaſions—they are not *flagitious* arts which I uſe, therefore they leave no ſtain—*wild deluſive* confidence ſhould be baniſhed, but not a *well grounded* confidence.—I will keep my allegiance to King George, if I am not otherwiſe commanded by his and my ſuperior lord—It is not perfidious or cruel to obey and execute the ſentences of God's vicegerent on earth. Many ſuch evaſions may be found *ſparſim* which ſhew to what lengths ſuch arts have been carried and in this kingdom; I do not believe they are carried ſo far now, or that they were at any time univerſal God forbid! but there has been and may be ſo many of them, that it is good to be on our guard.

How far the Pope's power of diſpenſing with oaths is carried, what an evaſion is uſed to eſcape what ſeems moſt poſitive, how difficult it is to hold this Eel by the tail, to bind this Proteus with any knot, may be ſeen on a plain book written for the inſtructions of country prieſts which you have in the appendix, there you will find even *the Pope himſelf cannot diſpenſe with an oath made for the benefit of a third perſon.* What can be deſired more clear and ſtrong? But read on and you will find, *it may be diſpenſed with as a puniſhment of that third perſon to whom the oath is made, ſo an oath made to an excommunicated perſon is diſſolved as a puniſhment of him.* Apply this to the oath of allegiance to *King George*, who *has been excommunicated at leaſt ſix and twenty times.*

suos vincti sunt, sive ab æternâ illâ lege quæ nullam adversus homines cujuscumque Sectæ perfidiam ac crudelitatem patitur. (*)

Deliberatum datumque PARISIIS A. D, 1775, *die mensis Novembris sextâ.*

(*) *N. B.* In eâ Sacramenti formulâ, quam Rex & Senatus Hiberniæ, Catholicis ejus Regni subscribendam solemni Decreto proposuerunt, nullis hoc jusjurandum distinctum legitur articulis. Uno ductu totum describitur, & orationis continenti serie cohæret. Sed iis visum est qui Theologos Parisienses in Consilium adhibuerunt, quæsita sua seorsum varias in partes, claritatis causâ, dividere. Ideò ipsam jurisjurandi formulam, suâ in Consultatione, quasi membratim, (invariato tamen sensu), dissecuerunt. Ordinem porrò huic partitioni aptissimum sectati, nonnulla ibidem præmisêre, quæ praedicta jurisjurandi formula postposuit. Denique hoc in instrumento publico, pauca quædam dicta sunt uberius, quæ brevibus illi verborum compendiis in Consultatione expresserunt. Sed quantum ad vim ipsam, materiemque Sacramenti pertinet, ex utrâque parte nihil occurrit, quod dissentaneum vel levissimè videatur. Quâ quidem de re ut promptum ac facile sit, penès Lectorem quemque, judicium: authenticam Sacramenti illius formulam latino Sermoni, ex Anglico, summâ fide traditam, typis mandari, & hoc loco exhiberi curavimus.

THE

whereby ſubjects bind themſelves to their kings, or of that eternal law, which allows of no perfidious or cruel treatment to be given the members of any religious ſociety whatſoever. (6)

Debated in PARIS, *and dated November the Sixth, in the year* 1775. And ſigned by ſixty Doctors of the Sacred Faculty.

(6) N. B. As the oath propoſed by the King and Parliament of Ireland to the Catholics of this kingdom, to be ſubſcribed by them is ſo framed, as to run in one interrupted ſtrain from beginning to end, without any diviſion or diſtinction of articles; the perſons who have conſulted the divines of Paris, thought it adviſeable, for clearneſs ſake, to divide the matter of their queries into ſeparate heads; and therefore, in their conſultation, without altering the ſenſe, they have, as it were, diſſected the term of the oath, and divided it into its ſeveral members; for the better arrangement of which, they ſometimes have taken the liberty of placing firſt what the term exhibits laſt, and, in ſome few inſtances, of drawing into a narrower compaſs what is worded more at large in the term: but, on both ſides, the ſubſtance and meaning are exactly the ſame, without the ſmalleſt appearance of diſagreement. Of this every reader may readily convince himſelf, by the peruſal of the oath itſelf, of which we have got an authentic copy faithfully tranſlated from the Engliſh into Latin, and hereunto annexed.*

* Our readers in this country have no occaſion for this Latin tranſlation: they will be ſatisfied with the well known Engliſh original, which we here give them.

THE

THE OATH,

PROPOSED BY

PUBLIC AUTHORITY

TO THE

CATHOLICS of *IRELAND*, (*h* 8)

Anno Regni Decimo Tertio & Quarto

GEORGII Tertii Regis.

CHAP. XXXV.

An Act to enable His Majesty's Subjects, of whatever Persuasion, to testify their Allegiance to him.

(1) WHEREAS many of his Majesty's subjects in this Kingdom are desirous to testify their Loyalty and Allegiance to His Majesty, and their Abhorrence of certain Doctrines *imputed to them*, and

(1) We insert the preamble to substantiate what was said in the text page, that the *opinion* known by the Lord Bishop of Cloyne to be Roman Catholic or (not to rob him of his elegant terseness,) *Popish* Tenets, were only *imputed* in the eye of the Legislature.

The act of 1774.

(*h* 8) Here again they arrogate to themselves the name of Catholics; on us they plentifully bestow the name of Heretics.—Let them, they think us so, why should they not call us so? I wish they would

and to remove Jealousies which hereby have for a length of time subsisted between them, and others his Majesty's loyal subjects; *but upon account of their religious tenets are by the laws now in being, prevented from giving public assurances of such allegiance, and of their real principles*, and good will, and affection towards their fellow subjects; in order to give such persons an opportunity of testifying their allegiance to his Majesty, and good will towards the present constitution of this kingdom, and to promote peace and industry among the inhabitants thereof, Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons

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always speak their mind as plain, and then they would not have boasted of their *loyalty* for near a century, during which they were *inviolately faithful Jacobites*. At the same time, they should not be so much offended if they are called *Papists*, or their tenets, *Popish*, by a Protestant Bishop; a *Papist* is not *worse* than a *Heretic*. Nor do I see how it is faulty in *elegant terseness*, unless they mean that Papist implies some disapprobation which *Roman Catholic* does not; if so, it is a good reason to adhere to the former word. *Popish*, *Papist*, are the words used by our *well beloved* sovereign, in the highest act of royal power, enacting law, and by the *mild*, *humane*, *wise*, *well informed* Legislature, who have granted them the indulgences which they now enjoy, and for which they do not seem to be sufficiently thankful, as they are still *clamouring* for more privileges, nay, have *declared*, *they never will be satisfied without them*: Privileges that to a moral certainty would destroy the religion, the property, the government of this Protestant Kingdom, *and that soon too*, not only the *children* who are *unborn*, but many *grown gentlemen* might live to *rue* the *granting* of that day, and to be taught to *dance* to a tune which they have too little thought of; *then* should all faces have gathered blackness?—— But providentially, some of the men hid under the turf cough'd, and the city was saved——The geese (naturally watchful, but rendered now doubly so by being half starved) have cackled, the garrison have taken the alarm, the capitol is saved, and the progress of the enemy *will* be stopped. v. hist. of Holland and Rome). For their *clamours*, I appeal to the newspapers and their conversation, for their *demands*, to all *those who know what I mean*——but to return, they are in this instance, as in others, quarrelling with the Bishop of Cloyne, who is doing them a kindness; he does not say they are Roman Catholic tenets, but *Popish* tenets; the distinction has often been made by Catholics, those we call *Papists*, others have named *Papalins*, and in Latin, *Papicolæ*, and other words of like import. The Bishop says those principles are *known popish doctrines*, I ask if the generality of Protestants, in and out of Parliament, don't think them so? The Legislature does not say that the doctrines were *only* imputed to the Papists, it says they *are* imputed to them: The Legislature knew or thought that some of the Roman Catholics did not hold those tenets, or they would not have proposed the oath, which in that case would have been only inviting them to perjure themselves; the Legislature

mons in this present parliament assembled, and by the authority of the same, that from and after the first day of *June*, one thousand seven hundred and seventy-four, it shall and may be lawful for any person professing the Popish Religion, to go before the judges of his Majesty's court of king's bench, any justice of the peace for the county in which he does or shall reside, or before any magistrate of any city or town corporate wherein he does or shall reside, and there take and subscribe the oath of allegiance and declaration herein after mentioned; which oath and declaration such judges of the king's bench, justices of the peace, and magistrates are hereby enabled and required to administer:

I *A. B*, do take Almighty God and his only Son Jesus Christ my Redeemer, to witness, that I will be faithful and bear true allegiance to our most gracious Sovereign, Lord King George the third, and him will defend to the utmost of my power against all conspiracies and attempts whatever, that shall be made against his person, crown, and dignity; and I will do my utmost endeavour to disclose and make known to his Majesty, and his heirs, all treasons and traiterous conspiracies which may be formed against him or them; and I do faithfully promise, to maintain, support, and defend, to the utmost of my power, the succession of the crown in his Majesty's family, against any person or persons whatsoever; hereby utterly renouncing and abjuring any obedience or allegiance unto the person taking upon himself the stile and title of Prince of *Wales* in the lifetime of his father, and who since his death is said to have assumed the stile and title of King of *Great Britain* and *Ireland*, by the name of *Charles* the third, and to any

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were not convinced that *none* of the Papists held those tenets, or they would not have proposed the oath, it would have been unnecessary: The oath was to discriminate them; for the same purpose all the other oaths from James the I. to this time were framed, for this purpose the Irish Remonstrance was promoted in 1661, (for it was drawn by the English Roman Catholics and presented by them to Parliament in 1640); for this purpose the Duke of Ormond suffered the Roman Catholic Clergy to assemble in synod, in 1666, which Curry says was to create divisions among them; yes, it was so, to divide them into loyal and disloyal, into those who *held* and those who *abhorred* the mentioned doctrines, into Roman *Catholics*, and *Papalins*.

I am compelled to remark that they have imposed on the good and too easy belief, (owing to inattention,) of the Legislature, in making them declare in the preamble, that on account of their religious tenets, they (the Papists) were by the laws then in being *prevented* from given public assurance of their allegiance: *They never were prevented, they were at perfect liberty* so to do, witness *(inter al.)* Lord Kingsland, Lord Dillon, Lord Cahir, Lord Netterville, who in 1715, took the oath of allegiance, without taking the other oaths or signing the declaration. v. Lords Journals.

I will make no more remarks on the oath, some, more versed in their casuistry, might find more loop-holes than I have hinted: I know I have not exhausted this in any part of the controversy.

any other person claiming or pretending a right to the crown of these realms; and I do swear, that I do reject and detest, as unchristian and impious to believe, that it is lawful to murder or destroy any person or persons whatsoever, for or under pretence of their being heretics; and also that unchristian and impious principle, that no faith is to be kept with heretics; I further declare, that it is no article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated by the Pope and council, or by any authority of the See of *Rome*, or by any authority whatsoever, may be deposed or murdered by their subjects, or by any person whatsoever; and I do promise, that I will not hold, maintain, or abet, any such opinion, or any other opinion, contrary to what is expressed in this declaration; and I do declare, that I do not believe the Pope of *Rome*, or any other foreign prince, prelate, state or potentate, hath or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly within this realm; and I do solemnly, in the presence of God, and of his only son Jesus Christ my Redeemer, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the Pope, or any authority of the see of *Rome*, or any person whatever; and without thinking that I am or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons, or authority whatsoever, shall dispense with, or annul the same, or declare that it was null and void from the beginning. So help me God.

And be it enacted by the authority aforesaid, *(i 8)* that the officers of the court of King's Bench, justices of the peace, and magistrates of the city and towns corporate, shall yearly, within twenty-one days after the first day of December, return to the clerk of the privy-council of this kingdom, or his deputy, a true and perfect list, under his or their hand, of every such Papist as shall in the course of the preceeding year have taken and subscribed such oath, in which list the quality, condition, title, and place of abode of such Papists shall be specified.

(*i* 8) I wonder the Papists (I can't help making use of the word, when I am considering an Act of Parliament, in which it is the only word used; if I did not, it would imply that I presumed to blame the Legislature for using it) I say then I wonder the Papists are not more careful and anxious to see this law duly executed, that their *unequivocal and decided* assurance of loyalty may be known to all men, but especially to the privy-council, as the law directs lists *should* be returned every year to the said privy-councils, whereas none were reurned before 1775, nor after 1776, and in those the whole numbers amount to about 1530: Perhaps the Judges of the King's Bench, and their officers, and the Justices and other Magistrates, being all Protestants, suppress those testimonies out of malice: But I would not let them if I was a Papist.

APPENDIX.

NUMBER VI.

Eminentissime ac Reverendissime Domine.

RUMOR apud nos non ita pridem percrebuit Eminentissimam Dominationem vestram ratione quarundam literarum quæ ab Hyberniâ missæ fuerint significasse nuper illustrissimum Dominum nostrum et sacram Congregationem. Juramentum quoddam civile fidelitatis a Parliamento hujusce regni in sua ultima sessione Catholicis nosmatibus propositum aliquo modo improbasse. Quis fuerit tenor vel scopus literarum Eminentissimæ Dominationis vestræ, qualesve literæ ab Hyberniâ missis comperire non potui, licet pro mea et suffraganeorum meorum in sanctissimum et in sacram Congregationem summa observantia notitiam illarum enixissimè perquisiverim.

APPENDIX.

NUMBER VI.

Most Eminent and most Reverend Lord.

A REPORT lately prevailed here that your Eminence had signified that his holiness and the sacred Congregation, had, on account of letters sent from Ireland, disapproved in some measure of a formulary of civil allegiance, proposed by Parliament in the last session, to the Roman Catholics of Ireland. What was the tenor or purport of your Eminence's letter, and the letters sent from Ireland, I never could discover, though I sought to know it with all that earnestness which became mine own and my suffragan's respect for the Holy See and sacred Congregation. (*k* 8) Thus circumstanced, the only

(*k* 8) It is surprizing that Dr. B. and his six suffragans should not be able to discover what were the tenor or purport of the letters from Ireland to the Præfect of the Propaganda, nor of his answers to them. To whom were they wrote? It must be to some of their Bishops, or to some man of eminence among the Roman Catholics, that his Eminence would write. Would not *they*, if asked, have informed their brother Bishops? Besides, it was a common cause, all the Prelates and Clergy, *avoient franchi le pas.* This looks though as if they were not quite so unanimous; for they write to Rome on business of great and general importance, without the participation or knowledge of the Munster Prelates, who had been the most, or the first, active in it, and they industriously conceal the answer, which was supposed to intimate the displeasure of the Pope and the Propaganda at *something*: Be this true or false, somebody must have seen the letters, and spoken of them, and yet all the Prelates of a Province can get no intelligence of them. *It shews they can keep council well.* How should Protestants know what is doing among them? How many mines may we unwittingly be walking over; how many thun-

In hisce rerum circumstantiis, anxios & solicitos hoc solum recreare potuit quod testimonium nobis reddiderit conscientia nostra nil nos in toto hocce negotio egisse, quam quod agere suasit et populi nostri salus et religionis amor. Juramentum alegianciæ â quo quidquid in pristinis fidei nostræ erat contrarium procul eliminabatur concedere, tandem nobis annuerunt Rectores nostri, utque suam intentionem amicam prorsus esse manifestarent et ne ulla latentis doli suspicio Catholicos adhuc aversos teneret, præfationem attexuere; qua publice et expresse declarant non alia mente aut fine se dictum juramentum adumbrasse, quam ut tandem Hyberniæ Catholicis licitum foret semoto omni quod in aliis juramentis eorum fidei displicuit alegiauciam suam salvâ fide et tuta Conscientia profiteri:

præterea

only comfort we had in the midst of our anxiety on the occasion, was our consciousness of having done nothing in this whole business, but what we were actuated to do by our solicitude for our people, and our zeal for religion.

Our Rulers had at length resolved on holding forth to us, an Oath of allegiance, from which was expunged whatever was contrary to the tenets of our belief; and, that no apprehension of any hidden deceit might hinder Roman Catholics from taking it; they took care to prefix a preface or preamble to it, wherein they expressly and publicly declare, that they planned this test with no other view or intention than at length to enable the Roman Catholics of Ireland, by effacing from this oath whatever had been inserted in former Tests, contrary to their Religion, to swear with all safety of faith and conscience, their allegiance to their Sovereign (*l* 8).

Moreover

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ders unseen hovering over our heads, all ready to burst and play upon us at once, whenever the convenient time arrives, and the appointed signal shall be given! The Ministers ordained for this service will then appear like those stationed for the first discharge of Satan's artillery in Milton, each at his post,

And in his hand a reed
Stand waving, tipt with fire.

And till then it may be

And in his hand a quill
Stands waving dipt in gall.

But I should imagine Cardinal Castelli on this application would send him copies of all, as he was *so well satisfied* with him, so Dr. B. might have given us fuller information in his pamphlet: I do acknowledge he raises many suspicions in me which I had not till I read it: Its dangerous to make a half confidence, he should have told us more, or been quite silent.

(*l* 8) *My Friend Bays, what villainy hast thou been committing, that you are so woundy suspicious?* Says his friend in the Hind and Panther transposed, by Lord Halifax and Prior. What intentions could Government have but to make you good Subjects and to know you were so? Did you not apply for the act yourselves? Or was it thrust upon you and you sollicited to accept it, as you seem to hint in your pamphlet? What apprehensions of hidden deceit should keep the Catholics still adverse? What a manner of representing the conduct of our Government is this? If we have exercised severity, as you improperly call what was only a strictness necessary to guard against the dangers arising from the situation of affairs (observe I enter not upon the *events of things*) or the rights (as the Sorbonne speak) which produced that situation, any more than into the question

præterea cum quædam opiniones fidei extraneæ quæ etsi in aliis regnis propugnatæ fuissent impune; hisce in partibus sub ditione Hæreticorum, et Regis auctoritati et subditorum incolumitati parum favere deputantur statutum est; ut ejusdem Juramenti tenore penes omnes Catholicos foret prædictis placitis renunciando et Regis benevolentiam et subditorum fiduciam sibi comparere.

(*m* 8) Moreover as there were certain opinions no wise appertaining to faith, which, however they might have been maintained with impunity in other countries, (*n* 8) could not, in a kingdom like this, under an heterodox government, but be looked upon as inimical to the authority of the Sovereign and the safety of the subject;

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how Strongbow or Henry 2d, O'Connor, Heremon or Milesius obtained the rank and sway they enjoyed. I say only, that *rebus sic stantibus*, it was necessary so to act, yet have we ever endeavoured to entrap you? No! you know it; and yet you are endeavouring by all manner of means and misrepresentations, trifling, remote and scarcely perceptible, as well as more gross and palpable, to bring an obloquy and odium at the Government and people who have tolerated and connived at you for many years, against their laws and repeated resolutions to put them in execution, and who have lately, in some degree though not altogether, put it, more than heretofore, out of their power to coerce you; may they never have cause to repent it! And it shall be your wisdom, as it is your duty to advert thereto.

(*m* 8) Those *certain opinions* which are here said to be foreign to the Faith, or no-wise appertaining to the Faith are—That the Pope has a temporal power in Ireland.—That a man may be murdered because he is a heretic.—That no faith is to be kept with heretics—That Princes excommunicated may be deposed or killed.—That the Pope can dispense with oaths.—If they mean that these opinions are not articles to be believed as firmly as the ten commandments, which I should take to be articles of faith, agreed; if they mean that the very reverse of them are not of faith,—denied; therefore I cannot admit they are foreign or no wise appertaining to it, for they are as strictly connected with our duty to God, made manifest by his revealed will, as, Thou shalt not kill, Thou shalt not steal, Thou shalt not bear false witness.

(*n* 8) How or why could those damnable tenets be maintained with impunity in any country? This shews how we are to understand what those gentlemen mean, by all their abjurations and renunciations of those doctrines as unchristian and impious; they might be maintained *with impunity* in any place not under the government of heretics; happy heretic countries, which alone spue out such detestable doctrines! What mean they by *impunity?* Can it be *salva conscientia* in one more than the other; or doth it mean they might escape temporal punishments in those countries, where their eyes are hood-winked or blinded, their minds inslaved by the artifices of superstition and sophistry, their spirits broken by fears and terrors of foreign wars, discontents and tumults, civil insurrections and rebellions persevering and almost inevitable assassination: there, and there only, can they meet with impunity. In a country under the dominion of heretics they could not but be looked on as inimical to the authority of the King and the safety of the subject,

ſubject; (o 8) (1) it was determined that by virtue of this oath it ſhould be in the power of every Roman Catholic, by declaring their

(1) Such were the opinions regarding a direct or indirect power in the Pope over the temporals of kings naturally enough contended for in the ſchools, and by ultramontane divines, educated and living perhaps in a country, owning his holineſs's authority, as temporal ſovereign.

ſays Dr. B. true, ſo they muſt in *every* country, in the moſt Popiſh country, but *there* they dare not open their eyes, or at leaſt own that they ſee with them, for fear of a greater or a more immediate miſchief; as a man pretends to be aſleep when thieves have got poſſeſſion of the houſe, leaſt they ſhould murder him immediately, though he has little ſecurity they won't murder him before they go —Let this be attended to, it is one of the great keys to unlock the ſprings; one of the clues to lead you through the maze of human actions and their cauſes. In one word *Dr. Butler doth not here reject deteſt and abjure theſe articles, he doth here avow them, he declares they are the doctrines of the Roman Catholic Church,* FOR THEY MAY BE TAUGHT WITH IMPUNITY.

(o 8) No note was wanting here, nor will we ſuffer ourſelves to be miſled by it. The opinions (but not the ſole opinions) inimical to Kings, to ſubjects, to mankind, are the five enumerated above, and in the oath, and not the Pope's temporal power only, which alone is here mentioned, to fix the attention on that, and draw it from the others; a common practice of all jugglers and ſlight of hand men, from Comus down to a Swallower of Knives at a country fair; we have here however an acknowledgment that ſuch power in the Pope is *contended for* in the ſchools, and by thoſe divines who live neareſt the ſpring head, nay, that it is *naturally* contended for; but how can a falſehood, *a moſt pernicious falſehood* be *naturally* contended for, by the ſtudents and teachers of truth or by divines, on whatever ſide of the hill they live? If it is true *there*, it is true *every where*: a man's living in a country owning his holineſs's authority as a temporal ſovereign, is no reaſon for his thinking his holineſs has power over the Kings of other countries; I live in Ireland and I own King George's authority, but I don't for that think he has any power over the King of Sweden, any more than if I lived at *Upſal*.

Obſerve, it is a very common artifice of late to ſay ſuch a thing is a *ſcholaſtic opinion*, thereby wiſhing to have it underſtood, that it is a refinement which does not relate to, or influence our practice, that no body thinks of theſe things *now*, that they don't deſerve to be thought of, that they are unintelligible to men of the world, &c. Such are indeed thoſe wherein Hudibras exerciſed his *Acumen*

their abhorrence of those opinions, to conciliate to themselves the affection of their King, and the confidence of their fellow subjects (*o o*).

By

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what's what? Is *Bonum* an animal? Had *Adam* a Navel, &c. Or that produced lately from Rabelais by F. O'L—— *An Chimæra bombinans in Vacuo*, &c. These are useless, but they are harmless, the articles in question are of a very different nature, and scholastic or not, must be attended to, refuted, abjured and guarded against.

(*o o*) Here at length is a true representation of the spirit, the principles and the conduct of the Protestants towards the Papists! Friends, only prove your allegiance to King George, and your abhorrence of those opinions which you own are inimical to the authority of the Sovereign and the safety of the subject, and you will conciliate to yourselves the affection of your King, and the confidence of us your fellow subjects.—What a lovely picture! What a striking likeness! We ask no fuller confession, no more honourable testimony in our favour. Chillingworth says, the Bible, the Bible, I say *the Bible only*, is the religion of Protestants; so let this be considered as the political doctrine of Irish Protestants, *We wish you no ill, we wish you all good, but we will endeavour to be secure against being sent to Mass, or having our lands taken from us which we have enjoyed some of us* 600, *some* 200, *some* 180, *some* 120, *but all of us near* 100 *years, only because your ancestors held them so long ago.* N. B. Fathers Mc. Mahon and Ferral 140 years ago carried the claims and their exhortations to the Irish Papists to assert them, up to Strongbow's time: The Books indeed were condemned by the Synod, but they *had* been read, and the doctrine, *manet alta mente repostum*,

Ex hac præfatione facile perspiciat Eminentia vestra nullatenus in hoc Juramento allegiantiæ, aut fidei nostræ impeti dogmata, aut morum principia, nihilque forte opportunius contigisse ut et religio diu, Hæreticorum dictoris obnubilata suâ tandem luce nativâ refulgeat Catholicorum erga Regem fidelitas asseratur & calumniantium ora obstruantur.

Hic merito judicantes nos & suffraganei nostri non ita explanatam fuisse sacræ congregationi Juramenti hujusce naturam; longiorem & accuratiorem totius negotii relationem, ad Eminentiam vestram & Sacram congregationem transmittere paramus. Quam interea dum astruimus Eminentiæ vestræ & sacræ congregationi protestamur non antea, nos huic novæ formulæ juramenti calculum nostrum adjecisse, quam prius pro certo habuimus, nec in mente juramentum proponentis, nec in ipsius juramenti verbis quid fidei aut moribus inimicum proponari, hæc duo enim ut semel explorata videmus, id est, ut semel ex ipsius legislatoris declaratione qualem præfatio juramento affixa exhibet didicimus; nihil in præjudicium nostræ religionis intendi, e contra votum esse supremi regiminis Catholicis omni modo favere; simul & ex nostro suffraganeorumque nostrorum, tum variorum quos consuluimus doctorum, judicio comperimus nihil verba ipsa præ se ferre quod fidei nostræ aut morum doctrinæ adversantur,

sarta

By this preface your Eminences may easily see (*p* 8) that the Oath of Allegiance is by no means contrary to our religious principles, and that nothing perhaps could happen more providentially, that religion so long clouded by the invectives of Heretics, might at length shine forth in its genuine lustre; that the loyalty of Catholics to their Sovereign might be asserted, and the tongue of calumny silenced. Hence I and my suffragans judging, with reason, that this oath had never been properly explained to the sacred Congregation, (*pp*) are preparing to send a more ample and more exact account of the nature of it to their Eminences. In the mean time we assure your Eminence and the sacred Congregation, we never gave our decided approbation of this new Test of allegiance, till such time as we were thoroughly satisfied that there was nothing meant by the proposer of the Oath, nor expressed in the words of it, contrary to our faith and morals. (*q* 8) But as soon as we were secure of these two points, that is, as soon as we were certain, from the declaration of the Legislature, as expressed in the preamble to the Oath, that nothing was intended to the prejudice of our Religion, and, on the contrary, that it was the wish of Government to prove itself quite favourable to Roman Catholics, (*r* 8) and when we were equally convinced from our own, our suffragan's and from the judgement of many doctors, (*s* 8) whom we consulted, that the words themselves of the Oath expressed nothing contrary to our Creed; seeing the sanctuary of religion on every side secure, we embraced with joy the oath of Allegiance, as a plank held forth to save Religion

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(*p* 8) *Petitio principii.* The Cardinal might *not* easily see it, and we have not seen any thing from him, or others, to make us think *he did see it.*

(*p p*) Dr. B. and his suffragans thought the oath had not been thus explained to the Propaganda, nor the advantages arising to the cause of Rome from their taking it pointed out, and therefore sent a fuller and more accurate account of the whole business. I wish we saw it!

(*q* 8) Where was the difficulty of knowing all this, that made it require so long a time? It was self-evident, and every thing, except the allegiance to King George, had always been their opinion, it was the doctrine of the Catholic Church, it was gross Calumny in Heretics to impute the contrary to her! As to the allegiance to King George, Castelli, the Propaganda, or the Pope, have no objection to *that*, I hope.

(*r* 8) It is the wish of Government to *prove* itself *quite favourable* to Roman Catholic, or literally from the original, *to favour them in every manner.* It always was, is, and ever will be so, as far as consistent with the safety of Protestants, their laws, religion and property—but no further.

(*s* 8) They signed their approbation of the whole oath, three months before they got the approbation of the Sorbonne to part of it, they knew their opinions indeed, as to that part long before;

ſarta tecta noſtræ religionis penetralia cernentes, juramentum allegianciæ religioni naufraganti velut oblatam tabulam lætantes arrepuimus. Sic Eminentiſſime Cardinalis & religionis voci obſecuti ſumus & populi noſtri magis conſonum quam ſublimioribus poteſtatibus obedientiam præſtare, in ſcripturis nil expreſſius, nil magis inculcare ſtuduit in ſua Epiſtola encyclica Clemens XIV, felicis memoriæ, populo noſtro nihil ſane conſultuis credidimus quam feralis illius odii, ſub quo a longo tempore gemunt, cauſas amovere.

Quod Eminentiæ veſtræ nunciatum fuit de ſcandalis & diſſidiis inter epiſcopos hujuſce regni quæquæ enata fuiſſe dicuntur iſtius juramenti cauſa nihil ſane credimus â veritate alienum, magis inviolata uſque adhoc apud nos permanſere caritatis jura ſemperque apud nos inviolata permanſura confidimus.

Hæc

Religion in this kingdom from the wreck which threatened it. (*t* 8) Thereby, most Eminent Cardinal, we both obeyed the voice of Religion, and consulted the eternal and temporal safety of our people; for, assuredly, nothing can be more consistent with religion, than to testify obedience to the higher powers. Nothing is more emphatically expressed in the sacred Scriptures; and nothing did Clement the Fourteenth, of happy memory, seek more strongly to inculcate, in his Encyclical Letters, to all the Bishops of the Catholic Church. At the same time we looked upon it as the greatest advantage to our people to be able to remove the causes of that public odium they had been so long victims to. As to what your Eminence heard of scandals and disputes between the Bishops of this kingdom, and which are said to have arisen from this Oath, we are convinced nothing can be more groundless. Fraternal Charity has hitherto remained, and we are confident always will remain inviolate amongst us. (*u* 8)

I thought

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if they consulted other Doctors they might have shewn us their opinions too, we should have been glad to see what Salamanca, Valadolid, Evera and Louvain say to it: however Dr. B. and the Priests about him did not take it 'till 15th December a month after they got the Sorbonne's answer. Perhaps though it was not wanted to settle his own conscience, it might be thought serviceable to stop the mouths of gainsayers.

(*t* 8) Was Popery so near sinking in 1775, that she only escaped on that plank of an oath, till she reached the chicken coop in 1778, and then got into a good stout long boat in 1782, where she may sit at her ease, pick up bits of the wreck, lay in provisions, and fit it up a little, for defence, or for attack, as Robinson Crusoe did his on the Coast of Africa? What thanks are due to the humane society for the recovery of drowned persons! But let us remember the *man of the sea* that was taken on board by *Sinbad the sailor* in the Arabian Nights.—Egad Bully, says Sir Joseph Wittol, there is good morals in Æsop's Fables, aye and in Reynard the Fox too.

(*u* 8) I think we may gather from hence that there were some differences among the Bishops and consequently among the clergy and people, about the oath, though they did not amount to Scandals (i e. they had not become public) nor had broken the laws of charity. What were those differences? You have no right to ask—perhaps not, but then you have no right to say you have laid a full state of affairs before us: you give us hasty letters that just touch upon the points, and refer to ample and accurate accounts which are to be sent, of which you don't give us a line, then you give us the complimentary conclusion of a Propaganda Cardinal's answer, and then you tell us we have *full* information, answers, &c.—Indeed, Sir, nothing less will convince us Protestants of this, than the plain argument Lord Peter used to prove to his Brothers Martin and Jack, that his brown loaf was a shoulder of mutton, and *heureusement*, as Marmontel says, we have escaped that danger *for*

this time, and we hope for ever. Providence has interposed by a concurrence of events to make our danger flash in our eyes, to deter us from trusting to a rotten leaky bottom, on a sea full of rocks and shoals, some known, but more concealed, and where we have neither Chart, Compass or Anchorage, and to make us suspend the foot we were going to place on this hazardous vessel, and fix it again on the rock of our salvation. *It is the Lords doing, and it is wonderful in our eyes!*—If the Lord had not been on our side, may Israel now say!—It was not *one* event, but a *concurrence of many.* Had not the Whiteboy business broken out—had it not been deemed expedient at first to let them proceed to certain lengths against their Priests—had they been confined within those bounds, by their superiors,—had they not proceeded to intermeddle with rents, taxes, wages, &c.—to oppose Government by force, —or had their leaders and abettors been able to keep them in order, even so far as they earnestly desired it.—Had not Father O'Leary wrote—had he not associated himself with——— but—a sigh the absent claim, the dead a tear—had not *certain persons* been too sanguine and unguarded in declaring what they wished, hoped and expected, and premature in their applications (*nota loquor*) for the same.—Had not Theophilus sounded the alarm.—Had not the Bishop of Cloyne stood on his watch-tower and with calmness, candour, and every allowable degree of civility pointed out and made known our various dangers. (A Protestant I hope may still venture to mention their names with approbation and respect, though I am not an *implicit* admirer of them, as they know, *might know*, I mean, if they knew me.) Had it not been for this concurrence, we might have got within the influence of the *Maal-strom*, we might find ourselves, as Donne says, *already half turned Papists by surprize.*—What less might have been feared when Pekah and Remaliah, Assyria and Samaria were joined together?—In the day that Herod and Pontius Pilate were made friends?—*But the snare is broken, and we are delivered!* Let us make the proper use of it; let us be thankful for so great a salvation, and let us never be lulled into that supine lethargy again, but always ready and resolved *to hold fast that liberty wherewith we are made free.* Here every man of reflection must be struck with the similarity of the concurrence of circumstances now mentioned, with that which was felt at home and abroad about a hundred years ago! Had not poor King James (a dreadful instance, and unanswerable proof, of the fatal effects of certain religious tenets, and how little reliance can be had on those who are tinctured with them, however good their natural disposition may be, and whatever other good religious principles they may (most sincerely, though inconsistently) hold, for he was an honest man, and a most scrupulous observer of his word, in all things where Church did not intervene, and then how often did he break his most solemn promise? The good of the Church cearies a *Non-obstante* clause in it that renders all promises, oaths, and laws illusory. Had not, I say, the unfortunate James been a bigot, and all his ecclesiastical advisers been hot headed bigots, and

unskilled in the management of civil affairs—had not some of his Ministers been villains, and pushed and inticed him into measures which they *intended should*, and which they *knew must* contribute to his ruin—had not all the dissenters, as, and by the name of such, presented addresses of thanks for his illegal doings instead of remonstrances against them.—Had not some societies of lawyers done the same——Had not the Bishops of the Church of England stood in the breach, and suffered so as to merit, and to obtain, the name of *Confessors*——had not one branch of that famous seminary of sound religion and good learning (however since traduced or vilified) remained inflexible, whence burst those rays which shone on the unsullied Mitre of Hough for half a century—had not Innocent the 11th been at enmity with, and he and all Europe been afraid of, Louis 14th——had not the glorious and immortal Prince of Orange been a great general, an able politician, and capable of the boldest enterprize, (though perhaps not so honest a man as his deluded Cousin and Father in Law.) What would have become of us? Humanly speaking, Popery must have been established, and we might have been now unavailingly entreating some part of that connivance, protection and indulgence, which we have at all times shewn to them, nay intreated them to accept.

One proof arises, from some things I have lately mentioned, how free from all rancour or animosity against Papists or their religion, the Protestant clergy have been for many years past, though it is not so much to their honour as for the respect I bear them, I could wish; it is this, that they have been remiss, too re-remiss in studying the controversy between us and the Papists, (the same might be said with regard to that with the dissenters) at least it is the case with most of them whom I have the pleasure to know; and though I believe they are far superior to either of the other classes, in all other learning, divine and human, yet I believe they are inferior to them in controversial studies. But I trust it will not long be so, and that they will soon emulate and equal the Chillingworths, Ushers, Stillingfleets, Tillotsons, Wakes and others, the champions of the last century, who have left their works a precious Panoply to us.—This comes to whet our almost blunted purpose,—This will make them rub up their old Latin with Queen Bessy, and they will soon be able to answer these Polish or Popish Ambassadors in their own stile: I don't mean they have the least advantage over us in the argument at present, for Magna est Veritas, &c. thus I believe Freemen will beat slaves, though they may not be so expert in wielding arms which they have not been so assiduous in handling (I speak not of the many eminent men among them but of the generality) and whence proceeds this, and what does it plainly indicate, but that our adversaries intending to attack, prepared themselves for the combat, whilst we suspecting no danger

Hæc prælibasse Eminentissime Cardinalis necesse duxi ut Eminentia vestra & sacra congregatio persuasum habeat nullos in orbe terrarum Episcopos fidei Catholicæ nobis tenaciores esse, aut firmius Cathedræ Petri adhæsuros.

Restat in Eminentiæ vestræ omnimodum adprecer felicitatem simulque subscribar

Eminentissimæ & Reverendissimæ Dominationis vestræ,

Observantissimus & Devotissimus Famulus,

Jacobus Butler, &c. &c. &c.

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to ourselves, and meaning no harm to others, or (if we may apply what Dryden says of his Hind to the poor Panther)

We fear'd no Danger, for we knew no Sin.

We were not always cased in complete steel, nor did we gird our sword upon our thigh every day, but chose rather to seek after that wisdom, whose ways are ways of pleasantness and all whose paths are peace, to cultivate our fields, *God's Husbandry*, that it might bring forth richly the fruits of righteousness, to touch our Lyre, that we might make melody in our hearts, and more worthily praise the Lord for his goodness, and for all the wonders that he hath done for the children of men, or even to repose like the harmless Catholic, under our Vine and our Fig tree, and to taste of all those good things which the Lord giveth us richly to enjoy.— But *res ipsa loquitur*, why should we have rancour or enmity against them? They won't assert gratuitous Malevolence, they will agree that it is temporal, not spiritual things, that stir up envy and hatred, we are in possession, we expect nothing, we can get nothing from them. If any grudging remains, it must proceed from fear, it can proceed from nothing else, fear that you will use every endeavour to take our possessions from us; you whose situation is the very reverse, you are in possession of nothing, you think you should be in possession of all, you think you may get something, and it is natural then that you should constantly be endeavouring to get it.—Where? On which side is the rancour and enmity most likely to be found?

I thought it neceſſary (*w* 8) moſt Eminent Cardinal, to touch upon theſe points before hand, that your Eminence and the ſacred Congregation, may be always perſuaded, that there are no Biſhops in the whole world more tenacious of the Catholic Faith, than we are, and none more determined to adhere always to the Chair of Saint Peter. All that remains is to wiſh your eminence every happineſs, and ſubſcribe myſelf

Moſt Eminent and moſt Reverend Lord,

Your Eminence's Moſt Obedient, and

Moſt devoted Servant,

JAMES BUTLER, &c &c. &c.

(*w* 8) The concluſion of this epiſtle is, that Dr. Butler thought it neceſſary to touch on theſe points before hand that Caſtelli and Co. might be perſuaded not *only*, that no Biſhops on earth are more tenacious of the *Catholic Faith* but *alſo* that none are more determined always to adhere to the *Chair of St. Peter* This ſeems to be *ſomething ſuperadded* to the Catholic faith, and was therefore worthy to be ſpecified to prevent ambiguities and doubts; this is pledging themſelves to maintain always a power in the Pope over the temporals of Kings, if there are any Biſhops among thoſe ſchools and thoſe Divines, who maintain it; and it can hardly be ſuppoſed that the Pope would put a negative upon them *all*, for that little *ſcholaſtic* opinion, harmleſs at leaſt, if erroneous.

THE CIRCULAR LETTER OF CLEMENT, XIV. TO THE PATRIARCHS, PRIMATES ARCHBISHOPS AND BISHOPS.

Venerable Brethren greeting and Apostolical Benediction.

CONSCIOUS of the weakness of our abilities, (x 8) and the importance of the object itself, we cannot, Venerable Brethren, but be greatly alarmed, when we form a comprehensive idea of the Supreme Apostolical Office that is imposed on us, and when we lay before

(x 8) As to the Encyclical Letter of Pope Clement 14th I did not imagine Dr. Butler had so mean an opinion of all the Protestants of Ireland, as to think that whole letter, or any one passage in it, could in any manner be supposed any proof of, or relative to, the matters in question. It is a good honest plain exhortation to all Prelates to do their duty and to instruct and exhort other people to do their duty, without saying what that duty is, as to this matter expressly nor does it disclaim or mention any of the five points in the oath.

before our eyes the weight and burthen of so great a charge. From the secure station of a private and peaceful life, being called forth as it were, from a safe harbour to steer St. Peter's bark, we look upon ourselves as having launched out into the deep ocean, and there all at once carried away, tossed up and down by tempestuous waves, and ready to sink in the violence of the storm. But (a) *This is the Lord's doing, and it is wonderful in our eyes.* For we plainly perceive that our unexpected appointment to so important a trust, is no way owing to the suggestions of human policy, but is the sole effect of his inscrutable judgment. This makes me most confidently hope that he, who has called us to this supreme ministry, so full of care and solicitude, will animate us, will support our weakness with his divine assistance, and will *give ear to our prayers in the heigth of the storm* (b). Our confidence herein is confirmed to an exceeding degree, by a recollection of Peter's timidity in the sea, and the rebuke he received from our Lord, on account of his little faith. And certainly the same divine Redeemer, who in the person of this Prince of the Apostles, has delivered unto us the care of his whole church, and the keys of the Kingdom of Heaven; (c) who has also enjoined us to feed his sheep, (d) and to confirm our brethren, (e) would have us remove all diffidence of obtaining his assistance, and rather be more animated by a confidence in his divine grace than dispirited by the apprehension of our own weakness, we should therefore submit ourselves to the will of him, who is our strength and support, to his trust and power we commit ourselves. He, by his designs, will accomplish the work he has begun in us, and by the very lowliness of our abilities, the force of his power and mercy will be more conspicuously displayed. For if, as affairs are now circumstanced, he makes use of us who are unprofitable servants, to transact or to affect any thing tending to the preservation of his Church, it will appear evident to all, that he is the sole cause and author thereof, and they must acknowledge that all the honour and glory must be appropriated to him alone. We therefore with a chearful mind enter on an administration of this most burthensome office, and the more powerful the aid is, that we rely on, the more vigorous will be the exertion of our zeal, being thoroughly convinced that on account of the very eminent dignity of the office we have been promoted to, too much assiduity, labour, or care, cannot be employed in acquitting ourselves worthily thereof.

While thus we carefully revolve in our minds this plan of our administration, and when, from the towering summit of this Apostolic See, we take a survey of all nations throughout the christian world, you, venerable brethren, placed in the most eminent and conspicuous station, are the first and chief object presented to our view. It cheers our spirits to behold you, and it is with the greatest satisfaction of mind we recognize you for our assistants and guardians of Christ's flock, and fellow-labourers in the vineyard of the Lord. We are

(a) Psalm cxvii. (b) Psalm lxxii. (c) Matt. xvi. 19.
(d) John xxi. 17. (e) Luke xxii. 32.

are therefore very desirous in the beginning of our Pontificate to address ourselves particularly to you, who bear a part of our burthen and to unbosom ourselves by disclosing to you the inmost sentiments of our mind. If in any respect we seem to give you admonitions, or to exhort you in the Lord, attribute them either to a diffidence we harbour of ourselves, or consider them as proceeding from a confidence we have in your virtue and pious affections for us.

And first we beg and intreat you, venerable brethren, incessantly to implore the Father of Mercies, to strengthen our weakness with his divine protection. Render us this return of the affection we bear you, and let us join in assisting one and the other by our prayers, that thus being strengthened by a mutual support, each of us may more firmly and securely maintain himself in his respective station. By thus uniting our affections you will demonstrate that unity which subsists between us. For the whole Church is but one building, the foundation whereof has been laid in this See by St. Peter; this structure is composed of many stones cemented together, but they are all fixed and supported upon one rock. The Church is also one body of which Christ is the head, and we all form this body. We being invested with the power of vicegerent, preside according to his appointment in a superior degree over the rest; and you being immediately joined to us, the visible head, are on that account the principal parts of the same body. What then can happen to any of us that must not affect us all, and extend its effects to each individual? As therefore every thing that requires your particular vigilance, is also the object of our care, and is a matter that should be referred to our cognizance (y 8); you in like manner ought to consider yourselves to be greatly interested in every thing that concerns us,

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(y 8) Dr. Butler was most unfortunate in quoting this letter as a justification of their taking or approving the oath without consulting the Pope—it is expresly the contrary; *Whatever requires the particular vigilance of the Bishops should be referred to the cognizance of the Pope*; and what could more require their particular vigilance, than a whole people's taking an oath contrary to what the majority of them had always before held, and about which they had still such scruples? and particularly vigilant they were about it, but they did not refer it to the cognizance of the Pope: Well therefore might his Holiness and the Propaganda be not a little grieved at this breach of their accustomed and bounden duty, well might a rumour prevail at Rome that they were about to shake off their obedience to the Pope, even in spirituals: But let us be glad and rejoice, for ourselves and for them! it gives us hopes,—it is a good omen that they will soon shake off the *Papal* shackles altogether, the *Penal* shackles will fall of course. Let us remember that neither John Huss, Jerom of Prague, Luther, nor Cranmer, quitted all the corruptions of Rome, nor all obedience to the Pope, at once, but by degrees, as their minds became more and more enlightened.

us, and that claims our peculiar care and attention. Wherefore being thus connected together by a unanimity of mind and sentiments, and animated with that same spirit, which flowing from our mystical head, and diffusing itself thro' all the members, communicates life and vigour to the whole, we ought to exert our united efforts, and employ our chief care to preserve the whole body of the Church sound and entire and undefiled with any spot or wrinkle, it may flourish and improve in every commendable christian virtue. This, with the divine assistance, may really be accomplished, if each of us is inflamed with an ardent zeal for the preservation of the flock committed to his trust, if each makes it his peculiar, constant care, to guard against the contagion of every vice, against the snares and allurements of error, and will be assiduous in imbuing and strengthening their minds with the aids of sanctity and doctrine.

But if it ever was incumbent on the presidents and guardians of the vineyard of the Lord, to rouse their zeal for the salvation of souls, there never has been a necessity for exercising it with greater ardor, than precisely at this critical juncture. For when have we ever beheld so great a variety of pernicious errors broached, and almost daily propagated, tending either to the weakening or utter extirpation of religion? Or when we see mankind more inveigled by the charms of novelty, and impelled by a thirst after all the modes of strange doctrines, flock together in the most eager pursuit of the delusive bait? Whence to our grief the contagion of error every day spreads more widely to the ruin and destruction of souls. You must therefore, Venerable Brethren, labour the more assiduously and exert the whole force of your authority, and all your diligence, to repress so extraordinary a temerity and raging phrensy of mind, from pervading even what is most sacred and divine. This you may be confident, will never be effected by the vain and corruptible resources of human wisdom, but *solely by simplicity of doctrine, and by the force of the divine word, more penetrating than any two-edged sword.* It will be then easily in your power to repulse your enemy's attack, to blunt the weapons of your adversaries, when in all your discourses and instructions you preach and lay before them Jesus Christ crucified. He founded this holy city, I mean his Church, and established laws and regulations for her protection, to her he delivered, as it were, the deposit of divine faith to be preserved sacred and inviolate. Her he designed for the strong fortress of all doctrinal truths, against which the gates of hell should never prevail. Let us then, venerable brethren, who are superintendents and guardians of this holy city, carefully defend and preserve this most noble inheritance of doctrine and constitutions bequeathed to us, by the same divine founder, our Lord and Master, which, having been handed down whole and entire to us, by our fore-fathers, let us transmit pure and uncorrupt to posterity. By regulating all our actions and conduct according to the plan laid down in the sacred writings, and moreover by carefully following the footsteps of the holy fathers, we are sure of being amply instructed, how to avoid every stumbling-block, or all sinister proceedings,

ing, tending to weaken the christian faith, to infringe or dissolve in any respect the unity of the Church. Scripture and tradition are those sources of divine wisdom, from which only we shall draw every necessary plan either of our belief or conduct.

For these are the two most valuable instruments, wherein is comprised every thing relating to religious worship, moral discipline, and a virtuous conduct of life. From them we acquire a knowledge of the profound mysteries of religion, and of the offices of piety, equity, justice and humanity. *From them we learn the duties we owe to God, to the Church, to our country, to our fellow citizens, and to the rest of mankind. By them we clearly understand, that the laws of true religion, are the most solid and firm support of our civil and social rights; this is the reason that there has scarce been ever a person, who oppugned the sacred institutions of Christ, who at the same time did not to the utmost of his power disturb the public tranquillity, renounce allegiance to his sovereign, and reduce every thing to a pernicious state of anarchy and confusion (z 8). For there is so close a connexion between the rights of divine*

(z 8) This is saying that no Deist was ever a good subject, which I doubt is not true; but it doth not imply in the least, that whosoever asserts that the Pope has a power over the temporals of Kings oppugns the sacred institutions of Christ.—Nothing that follows contradicts the doctrine that all must be subordinate to the superior, supreme power of the Pope.

One word more and I have done. Suppose I was indicted or accused for holding the doctrines in the oath, and I was to assert in my justification that such was the doctrine of the Roman Catholic Church, and as a proof of it, to produce this same encyclical, in which, says I, our infallible guide doth plainly and expressly pronounce it so to be, —What would be the consequence?—The good Saint Martin himself would say, Friend, *this cloke* won't cover you—Maximus would smite me with the sword—Father Burke, at least his founder, Dominic, would condemn me, and deliver me up to Philip or John begging them not to hurt me, notwithstanding which, (as he knew) they would burn me alive,—Ganganelli would say, why did not you ask me, as I told you in my letter you should do?—the liberal English juryman would find me guilty, and the judge would condemn me, but they would join in recommending me to mercy, and *our good King George, sensible and humane*, would say, *The poor fellow* MUST *be an Ideot! send him to bedlam with Margeret Nicholson.*

If I have sometimes spoken with a degree of seeming levity, or have enterlarded my Remarks with idle sallies, not strictly argumentative, I hope to be excused; it was not for want of being deeply impreſt with the awful importance of the subject, *Ce n'etoit que pour egayer un pur la matiere, & pour tacher d'apprvoiser ceux qui auroient pie seffaroucher & se degouter d'une brothure longue triste & scholastique.* If I have been guilty of any personal disrespect to Dr. Butler, it was unintentionally, and I beg his pardon for it; I have not the honour to know him, but they say he is a

divine and human power, that all, who are conscious of the power and authority of kings, being confirmed by a sanction of the christian law, with chearful minds pay obedience to their sovereigns, revere their power, reverence and respect their dignity.

And really considering the divine institutions in this point, to be equally interesting to the preservation of the public tranquillity, and to the salvation of souls, we are thereby induced earnestly to exhort you, venerable brethren, that next after God, and the sacred rites of the divine worship established in the Church, you will turn all your thoughts and care to inspire the minds of the people with a spirit of submission and obedience to their sovereign Princes. For they are placed in a more eminent station above the rest of mankind, as guardians of the publick weal, and to maintain the laws of equity among their subjects (f). *They are the Ministers of God unto good.* It is not *in vain they carry the sword, (g) being avengers to execute wrath upon him that doth evil.* Besides they are the dearest children of the Church, they are her patrons; and are bound in duty to love her as a parent, and to defend her rights and privileges. Be careful then that those, whose instruction in the law of the gospel is committed to your charge, be early grounded in that divine precept: Let them be made sensible from their very infancy of their sacred obligation, *of loyalty to their Kings, of respect to their authority, and of submission to their laws,* (h) *not only for wrath but for conscience sake.* When thus by your instructions the minds of the people are excited not only to obey the laws of their sovereigns but also to reverence and love their persons, it is then you will in the most effectual manner promote the tranquillity and interest both of Church and State, which are ever inseperable. This point of your duty you will most compleatly discharge by joining to your daily prayers for the people, particular ones for the preservation of their

(f) Rom. xiii. (g) Rom. xiii. 4. (h) Rom. xiii. 5.

Gentleman and a Man of Honour, and if we ever happen to meet, I hope we shall be good friends; he has made an excuse for me in his introduction, where he says, "For example, untruths are called false; "and calumnies bear the character of calumniation." Besides, men of his high station are not supposed to write their own works, nor the King, his own speech, the one is considered as the production of the chaplains, vicars general, &c. as the other of North, Shelbourn, Fox, or Pitt: On this supposition, the speech is attacked in Parliament; on this supposition when the Archbishop of Paris ask'd *Monsieur Piron, avez vous lu mon dernier Mandement? Piron* answered, *et Monseignieur?* And on this supposition I say, 'tis enough to make one's heart bleed to see an honest gentleman like Doctor James Butler, Roman Catholic Archbishop of Cashel and Emily, supported by such a parcel of Tools! and I must cry out with the old cavalier to King Charles the second—

God bless your Majesty, but——not your dogs.

their sovereigns; that they may rule their subjects with justice peace, and equity, that possessed with a knowledge and fear of their creator, who exercises a superior dominion in the kingdoms of this world, they may espouse and advance the rights of the same supreme Being, with a spirit of piety and sanctity. By these means you will no less acquit yourselves of your episcopal duties, than you will consult the good of the publick. For what is more just and reasonable, than that these guardians of the state, and preservers of the publick tranquillity, should have constant prayers offered up to the Lord for them, by those, whose function, according to divine appointment, is, to treat of the affairs between God and Man, and in quality of mediators and interpreters, to present the supplications of the people to the Lord, in conjunction with their own?

As to the other points of your pastoral duty we think it needless to make a more exact enumeration thereof. For to what purpose should we enter into any particular discussion or admonition relative to them, being already sensible that daily practice, and moreover a certain bent, or disposition of mind suitable to your function, have grounded you in a most perfect knowledge of them. There is however only one thing, which, because it alone comprises the whole sum of your duty, we cannot omit laying before your eyes, and that is, to rouse your zeal in pursuing in all your actions, the model of our divine leader and prince of pastors, *(J. C.)*, and in exhibiting in your conduct a specimen of his sanctity, charity and humility. For if he, though the splendour of his eternal father's glory and figure of his substance, condescended to assume our nature with its infirmities, if by ways of charity and humility he was pleased to deliver us from bondage, to render us adopted children of God and co-heirs of his heavenly kingdom, to what more glorious or excellent purposes can we employ our cares and labours, than in our being instruments of preserving and promoting in the rest of mankind their union and friendship with Jesus Christ, and his displaying in our persons a shining example to others, by an imitation of that divine model of goodness, mildness, and meekness? For by what other means can he *get up upon a high mountain that bringeth good tidings (the gospel) to Sion)* (1). When once you are inflamed with an ardent desire of copying after this divine pattern, it is impossible not to diffuse the same desire, not to kindle the same ardour in the minds of all your people. For wonderful is the influence and authority of a pastor in swaying the minds of his Flock. When they behold all his designs and actions square with this divine model of true virtue. When they find him no way harsh, no way arrogant, no way haughty; but on the contrary replete in every respect with a spirit of benevolence, charity, humility and meekness; they then will perceive themselves irresistibly excited to an imitation of these laudable virtues. Moreover when they observe him regardless of his own private emoluments, attentive to the interests of others, relieving the necessities of the

(1) Isaiah. xl. 9.

the indigent, administering comfort to the afflicted, instruction to the ignorant, extending his good offices, his admonitions, his affections to all, and in fine more careful of the salvation of his flock, than of the preservation of his own life; it is this pastoral zeal, love and attention, that will render them docile and most willing to give ear to either his instructions, his exhortations, his admonitions, and even to his very rebukes. But if there be any under the restraint of covetous selfish passions, who prefer the temporal to the eternal, how will they inspire others with a love of God or a spirit of mutual charity? How will those, who are gaping after riches, pleasures and honours, excite their flock to a contempt of the world and its transitory objects, or in fine, how will those who are puffed up with pride and ambition, preach meekness and humility? As you have therefore taken upon you the charge of instructing the people in the doctrine and discipline of Jesus Christ, an imitation of his sanctity, meekness, and innocence, is the plan you must chiefly adhere to. It is only then you may be assured of laudably exerting your power and authority, when you prefer the ensigns of charity and humility to those of your grandeur and dignities. Look upon training up the people committed to your care in the manner we have insinuated, as your most important occupation, as a duty that solely belongs to yourselves, and be persuaded, that upon a discharge thereof, depends the preservation of your characters and dignities, and from a neglect therein follow your misfortune and greatest reproach. Let the gaining over souls to Christ, that were redeemed by the blood of Christ, be the only riches you thirst after. Let your true and solid glory be solely placed in a faithful and assiduous exercise of your care and labour for the Lord, in promoting the service of God, in increasing the splendour of his Church, in extirpating vice, and cultivating virtue. These matters should be the object of your daily thoughts, these your constant employment, these your ambition and these your desire.

Nay even though you should have had a long and grievous struggle through the course of these fatiguing duties, are you to imagine that occasions will be ever wanting for the exercise of your zeal, for such is the nature of your function, such the tenor of the episcopal institution that it cannot admit of an interruption from care, or a cessation from labour. Those whose extensive charity ought not to be confined to any limits, cannot have their activity and zeal circumscribed by any bounds. But all your pains and labours will be easily mollified, and in a great measure alleviated by the prospect of that eternal and infinite recompence, which is destined for you. For how can any thing appear laborious or troublesome to those who reflect on that reward of most consummate felicity, which will be conferred on the multipliers and preservers of Christ's flock, when he requires an account of their pastoral administration? Over and above these charming hopes of immortality, in the very labours of a pastoral life you will experience a vast deal of inward satisfaction of mind, in contemplating your flock by the blessing of God on your

endeavours, linked together in mutual bonds of charity, flourishing in the virtues of an upright holy life, and in fine when you behold all the other many excellent fruits accruing to the Church of God from your labour and vigilance. Would to God that during our apostolic administration, we might by one general and unanimous concurrence of our inclinations and zeal, behold religion restored to this flourishing and happy state, exhibiting an emblem of the primitive age of the Church, that with our mutual congratulations we might, venerable brethren, rejoice together in Christ our Lord, by the protection of whose divine grace, may we ever be supported, and our hearts perpetually inflamed to act in every thing conformable to his holy will.

At the same time that we address these letters to you, we also dispatch others to all the faithful of Christ, with the usual grant of a Jubilee to implore, in the beginning of our Pontificate, the divine assistance for our prosperous government of the Holy Catholic Church. We therefore most earnestly beg and intreat you, to direct the people committed to your charge how to offer up their prayers on this occasion, in a proper manner, with sentiments of faith, piety, and humility, and to kindle in their minds, as well by your example, as by your exhortations and admonitions, an ardent zeal both for the interest of their own salvation, and for that of christianity in general. And as a token of our love, we most affectionately impart to you, venerable brethren, and to the faithful of your churches, our apostolic benediction.

Dated in ROME, at St. MARY MAJORS, the 12th day of *December*, 1769, in the first year of our Pontificate.

FINIS.

APPENDIX.

NUMBER I.

EXTRACTS

FROM THE

HISTORY AND VINDICATION

OF THE

Loyal Formulary, *or* Irish Remonstrance,

Graciously received by His Majesty, 1661,

By Father PETER WALSH,

Recollect of the Order of St. Francis, Professor of Divinity, Procurator of the Roman Catholic Clergy, both secular and regular of Ireland, appointed under the Hands and Seals of Reilly, Primate, Mageoghegan, Bishop of Meath, F. Darcy, Bishop of Dromore, Patrick, Bishop of Ardagh, Gaffney, Vic. Gen. of Ardagh, Dese, Vic. Gen. of Meath, Cusack, D. D. Commissioner of N. Bishop of Ferns, Dempsey, Apostolic Vicar of Dublin, Scurlog, Prior of Dominicans at Dublin, Barnwell, Superior of Capucins, Brown, Superior of Carmes dechaussé.

ADDRESSED to the Catholics of England, Ireland, and Scotland, when, after some account of the cause of this address, viz. to recommend to them the above Remonstrance, which is in these words, We do acknowledge and confess your Majesty to be our true and lawful King, supreme Lord and rightful sovereign of this realm of Ireland, and of all other your Majesty's dominions. And therefore

we acknowledge and confess ourselves to be obliged under pain of sin, to obey your Majesty in all civil and temporal affairs, as much as any other of your Majesty's subjects, and as the laws and rules of Government in this kingdom do require at our hands. And that notwithstanding any power or pretension of the Pope or See of Rome, or any sentence or declaration of what kind or quality soever, given, or to be given, by the Pope, his predecessors or successors, or by any authority spiritual and temporal proceeding or derived from him or his See against your Majesty or royal authority, we will still acknowledge and perform to the uttermost of our abilities our faithful loyalty and true obedience to your Majesty. And we openly disclaim and renounce all foreign power, be it either Papal or Princely, Spiritual or Temporal, in as much as it shall seem able or shall pretend to free, discharge or absolve us from this obligation, or shall any way give us leave or license to raise tumults, bear arms, or offer violence to your Majesty's person, royal authority, or to the State or Government. Being all of us ready not only to discover and make known to your Majesty and to your ministers all the treasons made against your Majesty, or them which shall come to our hearing but also to lose our lives in the defence of your Majesty's person and royal authority, and to resist with our best endeavours, all conspiracies and attempts against your Majesty, be they framed or sent under what pretence, or patronized by what foreign power or authority soever. And further, we profess that all absolute Princes and supreme Governors of what religion soever they be, are God's lieutenants on earth, and that obedience is due to them according to the laws of each Commonwealth respectively, in all civil and temporal affairs: And therefore we do here protest against all doctrine and authority to the contrary. And we do hold it impious and against the word of God to maintain that any private subject may kill or murther the anointed of God, his Prince, tho' of a different belief and religion from his, and we abhor and detest the practice thereof as damnable and wicked. [N. B. Even this form admits of evasions as Walsh himself confesses, but it was drawn up by the English Catholics, and presented by them to the English Parliament 20 years before.] He proceeds thus: Without peradventure then you are universally so concerned in the subject of this book as I have said; and not only you, but your posterity after you, and your priests, and your nobles, your gentry and people, your peace and quiet, religion, estates, liberty and lives, in short all your happiness and being in this world, not to say also in the future.

If any yet doubt of this, I desire him to look back and consider how many thundering Bulls have been issued from the Roman See at several times since the year 1535, some excommunicating, others deposing our princes, and others even disposing of their kingdoms, and exposing them as a prey to foreigners. How many dangerous invasions from abroad, and rebellious insurrections at home; how many other treasonable conspiracies and horrid plots that followed those Papal sentences; and all the ill success of such unchristian, bloody undertakings;

takings; the extinction of so many hundred illustrious families, the desolation of so many thousand ancient houses; the destruction of so many myriads of poor harmless innocent people on every side; and all the unspeakable miseries of the vanquished party, the pitiful groans of surviving heirs, and the penitential sobs of their dying fathers, for having under pretence of Catholic religion, or for any other cause whatsoever, lifted up an armed hand against their Prince or his laws. I am deceived if these be not as many unanswerable demonstrations that you are without any doubt so universally and deeply concerned in that subject; and therefore to pursue my old method (I call it old, having held it these 26 years) of delivering my thoughts fully and thoroughly in all points which I conceive to be material; I must now tell you that if we please to examine things calmly, with unprejudiced reading, and unbiass'd reason, we may find without any peradventure:

1st. That the rigour of so many laws, the severity of so many edicts, and the cruel execution of both, many times against even harmless people of the Roman communion, have not intentionally or designedly from the beginning aim'd, nor do at present aim, so much at the renunciation of any avowed or uncontroversed articles of that Christian or Catholic religion you profess, as at the suppression of those doctrines, which many of yourselves condemn, as anti-catholic, and for the prevention of those practices which you all say you abhor as anti-christian.

2d. That it is neither the number of sacraments, nor the divine excellency of the Eucharist above the rest, either by the real presence in, or transubstantiation of the consecrated Host, nor the communion thereof in one kind only, nor the more holy and strict observance of confession, nor the antient practice of extreme unction, nor the needless controversies 'twixt us and the Protestants (if we understood one another) about faith, justification, good works, or those termed supererogatorie, or about the invocation of saints, veneration of reliques, worshiping of images, purgatory and pardons, nor is it the canon of the bible, or a learned liturgy, or continency of priests and obligation of certain vows, or holiness of either a monastick or cloystered life in a well ordered community of devout regulars, nor is it either a patriarchal power in the Bishop of Rome over the Western Church, according to the ancient canons and customs, or (which is yet somewhat more) an universal pastorship purely spiritual acknowledged in him, such I mean as properly flows from the celestial power of the two keys of Peter, as far as it ever was acknowledged by all or any of the ancient Councils, I say it is not any of all these articles or practices, nor all together, (not even joined with some others, whether of lesser or greater note) that is the grand rock of scandal, or that hath been, these last hundred years, the cause of so many penalties, mulcts, incapacities, of shameful deaths inflicted, and more ignominious characters given us.

3d. That of our side, the original source of all those evils, and perpetual spring of all other misfortunes and miseries whatsoever

of

of the Roman Catholics of England, Ireland, and Scotland, at any time since the first change under Henry the 8th hath been a system of doctrine and practices, not only quite other than yourselves do believe to have been either revealed in holy scripture, or delivered by catholick tradition, or evidenced by natural reason, or even so much as defined by the tridentine fathers, but also quite contrary to those doctrines and practices, which are manifestly recommended in the letter, sense, and whole design of the Gospel of Christ, in the writings of his blessed apostles, in the commentaries of their holy successors, in the belief and life of the Christian Church universally for the first ten ages thereof, and moreover in the very clearest dictates of nature itself, whether christianity be supposed or not.

4th. That of those quite other and quite contrary doctrines, in the most general terms, without descending to particular applications of them to any one kingdom or people &c. the grand positions are as followeth, viz.

That by divine right and immediate institution of Christ, the Bishop of Rome is universal monarch and governor of the world, even with sovereign independent, both spiritual and temporal authority, over all churches, nations, empires, kingdoms, states, principalities; and over all persons, emperors, kings, princes, prelates, governors, priests and people, both orthodox and heterodox, christian and infidel; and in all things and causes whatsoever, as well temporal and civil as ecclesiastical or spiritual.

That he hath the absolute power of both swords given him.

That he is the fountain of all jurisdiction of either kind on earth, and that whoever derives not from him, hath none at all, not even the least civil or temporal jurisdiction.

That he is the only supreme judge of all persons and powers, even collectively taken, and in all manner of things divine and human.

That all human creatures are bound under forfeiture of eternal salvation to be subject to him, i. e. to both his swords.

That he is impowered with lawful authority not only to excommunicate, but to deprive, depose, and dethrone (both sententially and effectually) all princes, kings, and emperors; to translate their royal rights, and dispose of their kingdoms to others, when and how he shall think fit, especially in case either of apostacie or heresie or schism, or breach of ecclesiastical immunity, or any public oppression of the church or people, in their respective civil or religious rights, or even in case of any other enormous public sins, nay, in case only of unfitness to govern.

That to this purpose he hath full authority and plenitude of apostolic power, to dispense with subjects in, and absolve them from, all oaths of allegiance, and from the antecedent tyes also of the laws of God or man, and to set them at full liberty, nay, to command them under excommunication, and what other penalties he please, to raise arms against their so deposed or so excommunicated, or otherwise ill meriting Princes, and to pursue them with fire and sword to death,

if

if they resist or continue their administration or their claim thereunto against his will.

That he hath likewise power to dispense, not only in all vows whatsoever, made either immediately or mediately to God himself, not only (as hath been now said) in the oath of allegiance sworn to the King, but in all other oaths, or promises under oath, made even to another man, whatsoever the subject or thing sworn be.

That besides oaths and vows, he can dispense in other matters also even against the apostles, against the old testament, against the four evangelists, and (consequently) against the law of God.

That whoever kills any Prince deposed or excommunicated by him, or by others deriving power from him, kills not a lawful prince, but an usurping tyrant, a tyrant at least by title, if not by administration too; and therefore cannot be said to murther the anointed of God, or even to kill his own Prince.

That whosoever out of pure zeal to the Roman Church ventures himself, and dies in a war against such a tyrant, (i. e. against such a deposed or excommunicated Prince) dies a true martyr of Christ, and his soul flies to heaven immediately.

That his holiness may give, and doth well to give, plenary indulgence of all their sins, *(a culpa et pœna)* to all subjects rebelling and fighting against their Princes, when he approves of the war.

That antecedently to any special judgment, declaration, or declaratory sentence pronounced by the Pope, or any other subordinate judge, against any particular person, heresie does *ipso jure* both incapacitate to, and deprive of the crown, and all other, not only royal, but real and personal rights whatsoever.

That an heretic possessor, is a manifest usurper, and a tyrant also, if the possession be a kingdom, state, or principality; and therefore is *ipso jure*, outlawed; and that all his people (i. e. all his otherwise reputed vassals, tenants, or subjects) are likewise *ipso jure* absolved from all oaths, and all tyes whatsoever of fidelity or obedience to him.

That he is truly and certainly and properly an heretic who misbelieves or calls in question, or even doubts of any one definition of the Tridentine Council, or of any one that is of mere papal constitution, or of any one of those articles professed in Pius Quartus's Creed.

That not only the Pope, but any Patriarch, nay, any inferiour Bishop acknowledging his Holiness, may (if need be) both excommunicate and depose their own respective Princes, Kings, or Emperours; and may also without their leave or knowledge reverse the decrees of their Viceroys or Lieutenants, and even censure, depose from, and restore again such Lieutenants to their former dignity and charge.

That all Ecclesiastics whatsoever, both men and women, secular and regular, Patriarchs, Primates, Archbishops, Bishops, Abbots, Abbesses, Priests, Fryars, Monks, Nuns, to the very porter or portress of a Cloyster inclusively, nay, to the very scullion of the kitchen, and all their churches, houses, lands, revenues, goods, and much more, all their persons, are exempt by the law of nature, and law

of nations, and those of God in holy scripture both old and new testament and those of men, i. e. of Christian Empreours, Councils and Popes, in their respective councils and canons, and are indeed universally, perpetually and irrevocably so exempt from all secular, civil and temporal authority on earth, whether of States or of Princes, of Kings or of Emperours, and from all their laws and all their commands, that is, from both the directive and coercive virtue of either, or (which is the same thing in effect) from sin against God, and from punishment by God or man, for only transgressing them.

That consequently, if any churchman should murder his lawful and rightful King, blow up the Parliament, fire, burn, and lay waste, all the kingdom; yet he could not be therefore guilty of treason, or truly called a traytor against the king, or against the kingdom, or people, or laws thereof; no, nor could be justly punished at all, by the secular magistrate, or laws of the land, without special permission from the Pope, or those deriving authority from him.

That nevertheless all Clergymen regular and secular in the world, from the meanest either accolits or converts, to the highest generals of orders, and greatest patriarchs of nations inclusively, may out of all kingdoms and even contrary to all the municipal laws, and oecumenical canons too, be summoned to Rome by his Holiness; and are bound in conscience to obey; yea, notwithstanding any command of the King, or supreme temporal magistrate to the contrary.

That not only the commands of his Holiness, but those also of his delegates (for example, the Generals of Orders) are to be in the same manner punctually obey'd by their respective inferiours, notwithstanding any contradiction of the Laws, or King, or any other, only the Pope excepted still, who countermands all, both men and laws at his pleasure.

That he can suspend, correct, alter, and utterly abolish any imperial, royal, or municipal constitution, custom, or law whatsoever, in any state or kingdom of the world, as he shall think expedient.

That even so he may all church canons of discipline or reformation whether they were made by a diocesan, or provincial, or national, or even oecumenical synod, truely such.

That neither the very canons of faith agreed upon by the most truely oecumenical council that ever was or can be, are of any force, if he alone dissent, tho' otherwise all the Bishops, Priests, Doctors and People too, of the christian world, every one had unanimously consented to them.

That his Papal decretals, constitutions or bulls, from the instant that they are published, or fixed up *in acie campi flori*, or wherever else he ordains, do according to their tenour presently oblige in conscience all the faithful throughout the whole earth, or such as are respectively concerned.

That he alone hath the absolute power of bestowing all ecclesiastical titles, benefices, offices, jurisdictions, cures, from the patriarchical, to the parochial, and that being otherwise given than from him, or assumed otherwise than by his authority, they are nullities before God, and

ought

ought to be so reputed by all men; and that whosoever denies this to be so, is an heretic.

That he alone hath the absolute power, not of translating only, but of suspending, excommunicating, deposing and degrading all of them, even the very Patriarchs themselves, without being tyed in such procedure to the formality of laws or canons.

That he alone hath power to erect new bishopricks, unite and divide the old, give the pall, privilege universities, create new religious orders, multiplie them to what number he please, extinguish them when he will, &c. exempt them and whom he please besides, from the jurisdiction of bishops, ordinaries, and all other persons and powers, except from himself, and his authority.

That finally, he alone is the Vicar of Christ on earth. And therefore in the first place he must have, not a paternal power only, but a despotic princely and absolute lordly power in and over the church militant, and consequently over all general councils, to do therein what seems fit to him: In the second place his jurisdictional authority must extend to heaven, and hell, and purgatory: Thirdly, without any question, he hath a never failing assistance of the Holy Ghost, so that all his definitions, at least in matters of faith (*a*) are and must be universally and perpetually true, and himself an infallible judge in them: In the fourth place, (which is consequent to the other) he hath owing to him from all mortals, such a perfect, nay, such a blind obedience, that if he define any virtue to be vice, and vice to be virtue, they ought to believe him; and if they do not, they cannot be saved, unless peradventure invincible ignorance excuse them: And lastly, to sum up all in a word, he is *Dominus Deus noster Papa*, our Lord God the Pope, as the glossator (*b*) of his own canon law stiles him. *

V. That

(*a*) The College of the French Jesuits at Clermont (*Q.* Is not this a mistake? There is a College of Clermont at Paris) in their printed Theses of the 12th of December, 1662, held that the Pope is infallible also in matters of fact.

XIX Christum nos ita caput agnoscimus, ut illius regimen dum in cœlis abiit, primum Petro, tum deinde successoribus commiserit, & *eandem quam habuit ipse infallibilitatem* concesserit, quoties ex cathedra loquerentur.

XX Datur ergo in Ecclesia Romana controversiarum Fidei Judex infallibilis, *etiam extra Concilium Generale* tum in questionibus juris, tum *facti*, &c.

Propugnabuntur, Deo Duce & auspice Virgine, in aula Claromontani Collegii societatis Jesu die XII Decembris 1661.

(*b*) Zenzelinus de cassanis in fine Glossæ extravag. Cum inter. de verb. signif.

* Æstimant papam esse unum Deum qui habet potestatem omneum in cœlo & in terra Johan. Gerson. Tom. ii. circa materiam excommunicationum & Irregularitat. Consider. II.

V. That notwithstanding the incredibility of these and some other such vain positions, and of all and every of their necessary antecedents and consequents yet they are all, and especially the monarchical and despotical, or rather indeed tyrannical (I am sure unreasonable and very destructive) powers, ascribed in them to the Pope, are every one (with no lower pretence than of divine right, and immediate institution of Christ) maintained either in formal or virtual terms (nay, in formal the chiefest of them, and such as infer the rest) not only by too many of our most famous and most classical authors, *(c)* of all sorts, canonists, historians, and divines, since the schools began; but also by the far greater authority of the Roman Bishops *(d)* themselves, since Pope Hildebrand's time. And three only (but wretchedly abused) texts of the gospel, Ecce duo gladii Luc. 22. 38 and Quodcunque ligaveris, &c. Mat. 16. 19 and pasce oves meas, Joan 21. 17. must serve the turn against the plain design of the whole gospel itself, to drive directly by such positions at the proper scope of the alcoran, and establish in the Church of Christ a worser tyranny than that of Mahometans and Mamalukes.

VI. That Card. Cæsar Baronius (the famous ecclesiastical annalist) who seems in truth to have had no other end so much to heart, in writing his twelve laborious tomes, as to heap together, how well or ill soever, all the topics he could imagine, for asserting to the Bishops of Rome the aforesaid universal monarchy, both in spirituals and temporals, over the whole earth, yet fearing his arguments driving at, or deriving from, or grounding it upon a *Jus divinum*, or divine right, and immediate institution of Christ, would not convince any, labours at last exceedingly (tho all in vain) in several of his said tomes of annals, to entitle his holiness at least by human right, (as for example, by donation, or oblation, or submission, or prescription, or by the payment of Peter-pence, or other tribute, or by forfeiture, &c. and to entitle him, I say, on some such meet human account) to the supreme temporal dominion of all (or I am sure at least almost all) and every particular Kingdom in Europe, (scarce one, if one excepted) namely of Arragon (e) Portugal (f) Castile, yea, all Spain (g) of Corsica (h) Sardinia (i) Sicily and so many provinces in Italy (k) of Provence (l) and Little Brittany (m) in France; yea also of the whole kingdom of France (n) and then

Baron ad ann. Christi.
e. 097
f 1144 & 1179
g. 701 and 1073
h 1077
i 1073
k 704 712 715 755 1077 1133 1168 1059 & 1080
l 1081 m 869
p 782

(c) For authors, at this time, Card. Peter Bertrand only, who lived 300 years ago, may suffice, whom a numberless number have ever since followed in his pernicious doctrine which you may read. Addit. ad Gloss. Extr. Unam sanctam. de major. & obed.

(d) For Popes also, in this place let Boniface 8th alone suffice both in his said Extavag. unam sanctam, and in many other decretals, but especially in his famed letter to Philip le Bel of France.

o 1062 p 782 then of Denmark (o), of Saxony (p) of Bo-
q 1073 r 1076 hemia (q), of Dalmatia (r), of Croatia, and (s
s 1000 t 1013 Hungary, of Poland (t), of Russia (u), and finally
u 1075 of England (x) and Ireland (y), if he has omit-
x 740 775 847 ted Scotland, his continuator Bzovius (z) fetches
1135 1172 it in. But Baronius himself comprehends it in
y 1159 z 1299 Adrian's Bull to Henry IId. in which his Holiness assumes to himself by human right, all the islands in general on which the Sun of Justice, our Saviour Christ, did shine with the glorious beams of the gospel; besides out of Europe, he makes the Pope in like manner capable to dispose of the
a 1197 kingdom of Armenia (a) at the foot of Mount Taurus in the very continent of Asia. As for the Estern and Western Roman Empires, the Pope has disposed of them by what right he pleased. But for the East and West Indies divided equally betwixt, and bestowed perpetually upon Ferdinand, King of Castile, and John, King of Portu-
b May 4th, 1443 gal, by Alexander, (b) in two several Bulls, where of that to Ferdinand, is dated at Rome, the 4th of May, 1443, Baronius could find no pretence at all of human right or title in the See Apostolical to either of them; and therefore leaves them at large, together with so many other kingdoms of Asia, Africa, and America, and the Terra Australis incognita, to be asserted only by his *Jus divinum*, or claim of divine right, to the whole circumference of the terrestrial globe, without exception to so much as one single foot of land.

VII. That for the practices answerable in all respects, not only to those positions, but to the conclusions from them, which I pass over now, tho' they are no less clearly deriveable from those premises, than properly applicable even to his present Majesty, and his present people, (as they have, without question, formerly and frequently *de facto* been applied to the preceding princes and subjects of England, Ireland and Scotland) I say, for such practices which are likewise quite other than any, and quite contrary to all recommended in the gospel, &c. There is no need to go so high as Gregory 7th. or to any of his three immediate successors, Victor Urban, and Paschal, who created so much evil to the Roman Empire and Emperours, Henry IV and Henry V.

Nor even so high as Innocent IIId's interdicting England near seven years together, and compelling our King John to that extreme vassallage of kneeling and pulling off his own Crown from his head, and laying it, together with his Royal Sceptre, Robe, Sword and Ring, at Pandolf's the Legate's feet, at Dover, and receiving them back no sooner than the fifth day, and then only in farm, and on condition to pay a thousand Marks a year, and acknowledge for ever both England, and reland tributary to, and held of, the Roman See.

Nor

Nor yet so high as Frederick the IId. Emperour of that name, his excommunication and deposition, first by Gregory IXth, and then by Innocent IVth, the very original sources of that miserable condition of Italy, for so long after worried by the incredible fury of Guelphs and Gibellines.

Nor so high as the like Thunder bolts of Boniface VIIIth, against Philip le Bel, of France.

Nor even as John XXII, and his two immediate successors, Benedict XIIth, and Clement VIth, their equal rage express'd in the like procedure against the Emperour Lewis of Bavier, for thirty-three years continually, involving the whole Empire in extreme confusion, Germany in blood, and Italy in horrible disorders.

Nor yet so high as Pope Julius the IId, his armed thunders against Lewis XIIth of France, and for his sake against the poor unfortunate John Albret, whom he deprived of the Kingdom of Naverre, even those very thunders which not only so alarmed, but incensed the said Lewis, that he stamped his golden coyn with this inscription against Rome, *Perdam Babylonis nomen.*

We need not in truth for instancing, even manifoldly, those practices, go so high as the very lowest of these now related, or at all further than our own King's dominions

Witness in the first place *that terrible thundering*, that more than *excommunicating*, more than *deposing*, nay, more than *exposing Bull* of Paul IIId (c), in the first year of his Papacy, against Henry VIIIth, even that extraordinary *Bull* of this angry Pope, and such a Bull indeed, *as never was used by his predecessors, nor imitated by his successors against any*, says (d) Padre Paulo.

And Pope Pius Vth, his declaratory sentence (in the fifth year of his Pontificat) against Queen Elizabeth, intituled S. D. N. Pii Papæ V. sententia declaratoria contra Elizabetham prætensam Angliæ Reginam; & ei adherentes Hereticos. Qua etiam declarantur absoluti omnes subditi a juramento fidelitatis & quocunque alio debito, & deinceps obedientes Anathemate illaqueantur (e).

And the Bull or Breve of Gregory the XIII (in the eighth year of his Pontificate) directed thus, Gregorius XIII Universis & singulis Archiepiscopis, cæterisq; Prelatis, nec non Principibus Comitibus, Baronibus, Clero, Nobilibus & populis Regni Hiberniæ salutem & apostolicam benedictionem (f) and granting to all the Irish that would join and fight in the rebellion of the Fitzgeralds of Desmond, against Queen Elizabeth, even the same plenary pardon and remission

(c) Dated at Rome at St. Mark's, anno. 1535, Aug. 29, tho' not published till Dec. 1538.

(d) Hist. Conc. Trent.

(e) Dated at Rome at St. Peter's, in the year of Christ 1569, Feb. 24, but by John Felton so daringly, or rather desperately, fixed on the Bishop of London's Palace Gates, in Paul's Church-yard, 25 May, 1570.

(f) Dated at Rome, at St. Peter's, May 13, 1580.

sion of all their sins, which is granted to those engaged in a holy war against the Turk, or other infidel possessors of the holy land.

And that other of Clement VIIIth (and of his Papacy the ninth year) to the same purpose, i. e. of the like tenour and direction to the Irish nation in general, animating them to join unanimously in Tyr Owen's Rebellion, against the self same heretical Queen, (as they called her) not to mention here any way, his Breve to Tyr Owen self (*h*).

And the theological Judgment of the two famous Universities of Castile, Salamanca and Valadolid (*i*) both justifying the lawfulness of Tyr Owen and his associates, their taking arms against the Queen, and condemning as guilty of mortal sin, all the other Roman Catholic Irish, that obeyed the Queen, and fought against them for her Majesty.

And the two several Breves of Paul V (*k*), in the 2d or 3d year of his Papacy, and both Breves directed to the Catholics of England, against the Oath of Allegiance made by King James in Parliament a little time before.

And lastly the two other several Breves of Urban VIII (*l*), whereof one was in like manner to the Catholics of England, exhorting them *to lose their lives, rather than be drawn to take* (*noxium illud & illicitum Anglicanæ fidelitatis juramentum, quo non solum id agitur ut fides Regi servetur, sed ut sacrum universæ Ecclesiæ sceptrum eripiatur Vicariis Dei omnipotentis &c.*) that pernicious and unlawful oath of allegiance of England, which his predecessor of happy memory, Paul V. had condemned as such. The other was that Bull or Breve of plenary indulgence (*m*) given yet more lately to all the Roman Catholics of Ireland, who had joined in the rebellion there begun in the year 1641, even that very Bull I mean, which the person of quality objects in his answer to P. W.

Besides all these public instruments (and many more I omit) of paper and parchment, and hands and seals, which are not denied, nor can be on any sufficient ground, Witness in the second place, all the no

(*g*) Dated at Rome, at St. Peter's, under the Fisher's ring, April 18, 1600.

(*h*) Dated in January the same year of his Popedom, but of Christ, 1601.

(*i*) The former at Salamanca, dated 2d Feb. 1603, (albeit the Jesuits College there began and signed it before, on the 7th March, 1602) and the latter dated at Valadolid, 8th March, 1603.

(*k*) The first dated at St. Mark's in Rome, *sub annulo Piscatoris X. Cal. Octob.* 1606; and the second next year after (which was the third of his Papacy) dated likewise there at St. Mark's on the 23d of August.

(*l*) And that dated at St. Peter's, at Rome under the signet of the Fisher, May 30th, 1626.

(*m*) Dated 1643, May 25.

no less unchristian than unhappy effects of these very Bulls, Breves Judgments and Indulgences.

Particularly witness first the rebellion of the Lincolnshire twenty thousand men under the sturdy Monk Dr. *Mackerel*, alias *Captain Cobler*; and immediately after their suppression, the much more terrible insurrection of forty thousand Yorkshire and other northern men formed into a complete Army, and even provided with a Train of Artillery, calling themselves *the holy and blessed Pilgrimage*: or, the *Pilgrimage of Grace*, and both rebellions raised on pretence of religion against Henry VIII. in the year 1537.

Next, those other two great bodies of Northern and Western Roman Catholic, Zealots against his son King Edward VI. and the latter marching into the field with a Crucifix under a canopy, which, instead of an altar, was set in a cart, accompanied with crosses, and candlesticks, and banners, and holy bread, and holy water, &c.

Then the unfortunate Earls of Northumberland and Westmorland, with all their adherents, drawn so temeariously into the field at Clifford Moore (not far from Wetheby in the West Riding of Yorkshire) against their lawful Queen Elizabeth.

Then the Earls of Desmond, Tyroen, Tyrconnel, the Visct. Baltinglass, O'Docharty, and so many other septs and names as at several times rebelled against her in Ireland, and from first to last continued there a long and doubtful war against her.

Then the invincible Armada or Spanish invasion in the memorable year 1588, besides those more private plots of Parry, Babington, Savage, Cullen, Lopez, Squire, York, and others, to take away her life by sword or poison.

Then against King James, not only in Scotland (and while he was only King of Scotland) the armed confederacy of the Earls of Montrosse, Bothwell, Crawford, Arrol, Huntley, Angus, the Lairds of Kibfawns, of Fintrie, and others in the year 1592, by the advice and at the sollicitation of the Jesuits Hay, Creighton, Abircrumby Tyrie, &c. but in England, (after coming to that Crown also) both against him and all the three estates of that kingdom in Parliament assembled, the most execrable design of the Powder Plot Traytors, on the 5th of November 1605, besides other designs and less famed contrivances, formerly both in England and Scotland against his own person, liberty and life.

Lastly under King Charles I. of glorious memory, the universal rebellion or insurrection (which you please to call it) of all the Roman Catholics of Ireland, a very few excepted, against his said Majesty's laws, authorities, and deputies of that kingdom in 1641, their confederacy formed, and war continued by them for so many years after, and even two several peaces (in 1646 and 1648) with his Majesties Lord Lieutenant, in that interim so scandalously violated by the prevailing party amongst them.

To

To all which matters of fact of both kinds, relating only to the proper, and even latter as well affairs as times of these kingdoms of England, Ireland and Scotland, if we please to add the strictest oath of fidelity that can be imagined, which all even our own Archbishops, Bishops and Abbots do and must take at their Consecration, (that I may pass over now in silence, not only the other oath, which all beneficed Church-men whatsoever that have collation or institution by Bull from his Holiness, nay, all graduated lawyers and physicians do likewise take, but also the false and yet both practical and general interpretation of the solemn vow of obedience, which all even our very regulars do make) there can be nothing more desired, to shew that we need go no higher up than our own days and our fathers; nor further off than the peculiar concerns of these very nations, to instance, both manifestly and abundantly, such practises as in all respects are answerable to the very worst of those principles to which they relate.

VIII. That notwithstanding the great multitude of Roman Catholic writers, and greater authority of other patrons of the same Church, (viz. the Roman Bishops themselves commonly these last 600 years) maintaining even the very highest enormities of the now related both principles and practices; yet even continually since the very first time, that any truth in those principles, or any lawfulness in those practises hath been asserted, either by Pope Hildebrand himself, or whoever else indoctrinated him, there have been of the other side, and of the same Church, as there are even at this present day, many thousands of the most learned, most zealous, most godly Prelates and Priests, and Doctors, besides Laicks, who have cried them down, as not only false, wicked, impious, heretical, unchristian, but as absolutely tyrannical, and as plainly destructive of all Government and laws, and of all property and peace, and of all whatsoever is or can be the felicity or comfort, or even freedom of the children of men.

This has sufficiently appeared in the mighty oppositions, made as well from the pulpit and by writing, as by arms, in all countries of Europe, to so many fulminating, so many king-deposing pretended universal Monarchs of the worlds in all things both spiritual and temporal, to these only Vicars of Christ on earth, to these only infallible judges of his faith. Witness the Concordates of Germany, the Sicilian Monarchy, the pragmatical sanction of France, the laws of provisors and premunire in England and Ireland, and the two œcumenical or at least occidental councils of Constance and Basil, and many more national Synods both before and after them, held, some in Italy, others in Germany, and others in France, and held in plain contradiction to those high claims and usurpations. Witness also of very late days, the third estate of France in the general assembly of the three estates, held under Lewis XIII. Jan. 161$\frac{4}{5}$ yea notwithstanding Card. Perron's oratory; and of later yet all the eight universities of that kingdom in their sentence of *Sanctarellus* ann. 1626 and of others too before and after; besides the known practise all along of their Parliaments: and last of all the theoloological

 faculty

faculty of Sorbonne, and the rest of the Paris Divines in the year 1663, May 8, headed by the Archbishop of that See and presenting their six declarations against the Pope to the present French Monarch Lewis XIII. (XIV.) all which are certainly manifold, clear, undeniable demonstrations of what I said immediately before, viz. How of the same Roman Catholic Church, or faith and communion, there have been all along as there are at this present, many thousands of the most learned, zealous, and godly Prelates, Priests, and Doctors, as well as Laicks who never approved of the aforesaid, either practices or principles; but always reproved, condemned, abhorred, detested, and protested against them both as not only heretical but tyrannical, &c.

IX. That consequently since the owning of such intolerable maxims and wicked actions, or the not disowning of them, cannot be justly said to be any of the peculiar notes, or characteristical marks of a Roman Catholic in general, but only of a certain sect or faction, or party amongst them, whom some call Papalins, others Puritan Papists, and others Popish Recusants; and since none of all the undoubted either articles or rites, which all Roman Catholics universally without any distinction do and must espouse, have been hitherto reputed, accused or suspected of being (in themselves abstractedly and purely taken) in any manner dangerous to any Government, temporal or spiritual, or to any persons either of Princes or Subjects, or to the property or liberty of any man or woman, or to the peace or quiet, or security or content of any human creature, however in the mean time several or some of them, do or may seem erroneous to the learned conscientious Protestants: and further since Henry VIII. and the Protestant Princes and Parliaments of England, Ireland Scotland after him; as on the one hand they could not but thoroughly understand both these things which I have now mentioned, so on the other hand they could not but observe, how, ever since the oath of supremacy (though framed only by Roman Catholic Bishops, Abbots, and Doctors of the English nation, and defended by the principal (y) of the same,) occasioned the first separation or schism amongst the subject of England and Ireland, *the far greater part of such as continued in the Communion of the Roman Church, did seem also to adhere to the foresaid dangerous Doctrines and practises* (i. e. to all the pretenses and actings of the Roman Court) for as much as they generally refused to disown them either by that oath of supremacy, or by any other: and moreover, by consequence, since the same Princes and Parliaments could not but manifestly discern, all their own very being, as also that of all the people under their Government, to be singularly marked out, and even devoted to utter extirpation, by a party of men so madly principled, and furiously bent, living among them: out of all that has been said, it must follow, That the only original, and the only true principal causes, which moved them to proceed with so much severity

(y) Bishop Gardiner in his book de Vera Obedientia; and Bishop Bonner in his preface before it.

ty of laws, proclamations, and executions against all Roman Catholics in general of these dominions, could be no other of our side, than our Fathers and our own very great neglect and folly, or contempt and wilfulness, not to disown and renounce for ever, publickly, as we ought, all such whatsoever wicked positions and practises; Nor any other indeed of their side, than their firm persuasions of our being, therefore, so desperately both principled and inclined, nay, resolved also, and ready to give the greatest possible evidences of fiery zeal, whensoever the commands of his Holiness from abroad, shall meet with a fair opportunity at home.

X. That it is unreasonable to think, and incredible to believe, that so many judicious Princes, Parliaments and Convocations, who had themselves gone so far, and ventured so much as they did, only because they would not suffer themselves, or the Protestant people governed by them, to be imposed on against their own reason, in matters of divine belief, rites, &c. should at the same time be so concerned to impose on others in the like (i. e. in spiritual matters purely such, in those, I mean, of religion and rites, no way intrenching on the jurisdiction, or other temporal or spiritual concern either of King or Bishop or other Subject whatsoever) as to enact laws of so many grievous punishments, yea, of death itself in some cases, of mere purpose to extort from them a compliance or submission in such matters. It is not to be believed, that they would enact those laws against their own flesh and blood, and some of their nearest relations too, only for not renouncing such harmless and mere religious tenets or rites, which all their predecessors before them had for so many ages held, without disturbance to the public, or inconvenience to private persons, or hindrance to virtue, or countenance to vice, if the testimony of all Christendom for so long time be of any weight; and to enact those laws intentionally or designedly against those things, which at the very worst, in all possible and conditional contingencies, are but erroneous tenets and insignificant, unprofitable rites, not otherwise at all noxious to human society; and then also and thereto enact those penal laws, where at the same time, the law makers could not but have continually before their eyes, all those before mentioned positions and practices, which they could not but judge to be indeed of the greatest danger, insolence, pride, injustice, usurpation, tyranny, and cruelty imaginable; even those very positions and practices which they knew to threaten themselves above others most particularly, and which they saw themselves ten thousand times more concerned to prosecute, than any pure religious rites or articles; nay, which they also knew to be such, as even according to the judgment of the greater and sounder part of the Roman Catholics themselves abroad in other parts of the world, did, of their own nature, require all the severity of laws and all the anger of men, to prosecute them.

XI. That if any shall object these penal statutes, which may perhaps be thought by some to have all their quarrel, and bend all their force, and level all the rigour of their sanctions against some harm-

less doctrines and practices, (whether in themselves, otherwise true or false, good or bad) I say against the mere spiritual, mere sacramental rites of our religious worship of God, and our belief of mere supernatural operations following, as for example against our doctrines of the consecration, and transubstantiation, and our practice withal of the adoration of the Host, which this present Parliament at Westminster, in their late act against Papists recusants may be thought by some to make the principal mark, whereat all the arrows of disfavour must now be shot: the answer is both consequential and clear, viz, that the law-makers persuading themselves, 1. That the Roman Catholics in general of these kingdoms, both Ecclesiastics and Laicks, had always hitherto since the schism, either out of ignorance and blind zeal, or a mistaken interest or blind fear, refused, or at least declined to disown by any sufficient public instrument, the foresaid Anti-Catholic positions and practices, which maintain the Pope's pretences of all supreme, both spiritual and temporal dominion, jurisdiction, authority, power, monarchy, and tyranny, &c 2. That their missionaries, i. e. their Priests, not only day and night labour to make new Proselytes, but also to infuse into as many of them, and of their other penitents as they think fit, all their own principles of equivocation and mental reservation in swearing any oath, even of allegiance, or supremacy to the King, and forswearing any thing or doctrine whatsoever, except only those articles which, by the indispensable condition of their communion, they may not dissemble upon oath; That the tenet of transubstantiation is one of these articles; therefore to discover by this (however otherwise in itself a very harmless criterium) the mischief which they conceive to go along with it, through the folly of Roman Catholics in these Dominions, they make it the test of discriminating the loyally principled Protestant, from the disloyal and dissembling Papist. Which otherwise they would not have done, if the Romanists themselves in general, who are subjects to our gracious King, had by any sufficient test distinguished amongst themselves, and thereby convinced the Parliament, and all other Protestant people of his Majesties kingdoms, that the belief of transubstantiation amongst the English, Irish and Scottish Catholics, is no more a sign or an argument of a puritan Papist, than it is at present among the French.

XII. That we have no cause to wonder at the Protestants' jealousy of us, when they see all the three several tests hitherto made use of for trying the judgment or affection of Roman Catholics in these kingdoms, in relation to the papal pretences of one side, and the royal rights of the other, I mean the oath of supremacy first, the oath of allegiance next, and last of all, that which I call the Loyal Formulary, or the Irish remonstrance of the year 1661, even all three, one after another, to have been with so much rashness and wilfulness, and so much vehemency and obstinacy declined, opposed, traduced, and rejected amongst them: albeit no other authority or

power

power, not even by the oath of supremacy (z) itself, be attributed to the King, save only civil or that of the sword: nor any spiritual, or ecclesiastical power be denied therein to the Pope, save only that which the general council of Ephesus (*a*) under Theodosius the younger, in the case of the Cyprian Bishops, and the next oecumenical Synod of Chalcedon (*b*) under the good Emperor Martianus in the case of Anatolius Patriarch of Constantinople, and the two hundred and seventeen Bishops of Africk (*c*) (whereof St. Augustine was one) both in their Canons and letters too in the case of Apiarius, denied unto the Roman Bishops of their time: and albeit the oath of allegiance was, of mere purpose framed only to distinguish 'twixt the loyal and disloyal Catholics, or the honest and loyal party of them, from those of the powder treason principles; and albeit the remonstrance of 1661 was framed only at first by some well meaning, discreet and learned Roman Catholics of the English nation, and was now lately signed by so many and such persons of the Irish nation as we have seen before; and was so far from intrenching on the Catholic Faith, or Canons, or Truth, or justice in any point, that saving all these, it might have been much more home than it is, (though indeed as some well meaning honest men it be home enough;) nay, and albeit neither of these two later tests (the oath of allegiance or the Irish remonstrance) promiseth to the King any other than mere civil obedience, and this obedience too in mere civil or temporal affairs only, according to the laws of the land, nor denies any canonical obedience to the Pope, in either spiritual or ecclesiastical matters purely such, nor indeed in any matter at all, wherein the Canons of the Catholic Church impower his Holiness, and wherein his key does not manifestly err.

How much more may it provoke them to see the few ecclesiastical approvers of the said tests (especially of either of these two last) to have been therefore persecuted, amongst and by the foresaid generality of the British and Irish Catholics? Yea to have been looked upon as out-casts, excommunicants, schismatics, heretics, and what not? And that excellent man, that most loyal and learned English Monk Father Thomas Preston, for having formerly (both under his own name, and that of Roger Widrington) so incomparably defended the foresaid oath of allegiance, to have been forced, nay content and glad, to shelter himself in a (*d*) prison from the furious persecution of the opposers? And after him so lately again Father Peter Walsh of St. Francis's Order, only for having promoted the said loyal Irish Formulary of 1661, and for having subscribed it himself, and refused to retract his subscription, to have been reduced to a far worse condition than Preston, even to that of a *Bannito* or an *Outlawed* man, by public denunciation and affixion of him

(z) Art. 37 of the Church of England. (*a*) In the year 431. (*b*) In the year 451, Can. 28. (*c*) In the year 419.
(*d*) In the Clink at London.

him as an excommunicate person: to be shunned by all former acquaintance, except a very few, and to be left alone, at last, for the matter, one single person to maintain the justice of that Formulary and of his own defence and cause, and carriage all along, and consequently to grapple with a numberless number of subtle, and powerful, and implacable adversaries?

How much more to see so many books of Roman Catholic Doctors, Italian, Spanish, German, Dutch, Candian, English, of Bellarmine and Becan, and Suarez and Singleton, and Sculkenius, and Tortus, and Eudœmon Johannes, and Gretser, and Parsons and Fitzherbert, &c. to have been written, printed, and published against the foresaid oath of allegiance enacted by King James? And amongst the generality of the Roman Catholic readers, so many practical students to have been indoctrinated by those very books or some of them? Although books in truth wholly composed of lying sophistry i. e. of very false doctrines in point of religion, and very treasonable and pernicious in point of subjection, as it hath been sufficiently proved concerning all the above mentioned doctors, by the foresaid indefatigable writer Thomas Preston, who has not left his antagonists either place or possibility of saying a word to his last pieces, wherewith he so incomparably baffled all their answers, replies, rejoinders, &c.

How much more after all this, and even since his present Majesties restoration, to see so much wrath and rage against so innocent a formulary of their own, and of professing allegiance in mere temporal things only? So many foreign censures of Divines, and foreign letters of Inter-nuncio's and Cardinals to have been procured? And so many foreign Citations and Excommunications to have been issued forth against the subscribers of it, with professed design both to suppress it utterly, and either to silence them eternally, or to destroy them for subscribing it, yea, so many missionaries to have been employed, and commissaries authorized? And for a dead lift, and when opportunity served, at last in the year 1669 (besides Provincials instituted, and Vicars Apostolical made) even so many Bishops and Archbishops on a sudden to have been created in Ireland by his Holiness for that end chiefly? And all this strange and late procedure, against so harmless a profession of allegiance, to have been hitherto looked upon by the generality of British and Irish Catholics (I mean by such of them as knew thereof) not only with indifferent eyes and thoughts, but, by the far greater part of them, received with complacency, and by all (for ought appears) submitted unto, with a perfect resignation of their souls, to the good pleasure of his Holiness and his Ministers?

I say, it is not to be imagined that all these matters concerning those three several tests, one after another, should have been and happened thus, even publickly before the sun, and to the full knowledge not of Catholics only, but of Protestants, but it must of necessity give very much ground to the more considering persons among the same Protestants, to persuade themselves, that however in the neighbouring

neighbouring Catholic kingdoms, the article of transubstantiation, and the doctrine of the Bishop of Rome's universal Monarchy, or of his both spiritual and temporal supreme jurisdiction, do not walk hand in hand together, yet amongst the generality of Roman Catholics in these nations, it hath been otherwise these last hundred years, and is at present; whether in the mean time this proceed out of ignorance, or interest, or both.

XIII. That thus at last, the only true both original and continual causes on our side of all the severe laws, and of all the other grievous misfortunes and miseries past and present, which we complain of, and groan under, as peculiar to the professors of the Roman Catholic Religion in these nations, appearing to be, and really being, such as I have hitherto discoursed; none can be so short sighted or so unapprehensive, as not, without further discourse, to understand likewise the only christian and proper efficacious remedy of all the said evils; for what I mean concerns the future, and our own endeavours, and concurrence with God and Man to help ourselves. For certainly nothing can be more obvious to reason, than that since our own, either formal or virtual, express or tacit, owning so many uncatholic positions, and so many unchristian practises, (by our continual refusing to disown them, or either of them, in any sufficient manner, or as we ought by any proper test,) hath been of our side hitherto the only immediate cause of all our woes, and especially of all those legal sanctions, which upon due reflection do without doubt render our best condition even at present anxious: it must follow, that the only proper true and efficacious remedy on our side also, must be, at last, our own free and unanimous, and hearty, and conscientious disowning of all and every the said erroneous positions and wicked practices, even by such a public, full and clear instrument or declaration and oath, as may satisfy all Protestants of our utter aversenes and enmity to all rebellions, doctrines and practices whatsoever; especially to those which tend to the maintaining of any kind of temporal dominion or jurisdiction, *direct or indirect*, or even any spiritual power or authority, which may have the effect of such temporal, in the Pope or See of Rome, over his Majesty or any of his Majesties subjects, or at all within the realms of England, Ireland or Scotland, or within any of the other Dominions acknowledging his Majesty, even in any case or contingency imaginable, especially in case of either true, or only pretended, apostacy, heresy, schism, &c. and such public instrument, declaration and oath, so full, and clear even also against all equivocations and both mental and vocal evasions whatsoever, to be in your name, together with your petition, most humbly presented to the King and Parliament, (some time this present session) by your sufficient Representatives, the Roman Catholic Lords, or such of them as will be pleased to take these matters to heart.

XIV. That when in such manner, as you ought, you have performed that duty which you have so long owed to God and the King, to your Country and Religion, to the Christian Church in general and

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all mankind, and amongst them to yourselves, and your posterity after you; and when you have thereby done your part to disarm all the angen of the Presses, and to silence all the clamour of Pulpits, and put an effectual stop to a thousand new invectives, and ten thousand more sermons preparing to incense the Protestant people against you; i. e. when by such a public instrument, or solemn declaration and religious oath of the generality of your nobles, ecclesiastics and gentry, you shall have quite rendered their, I know not which, more affrighting or bewitching, Theme, quite destroyed their common place, and no less effectually than clearly answered their only grand objection against your liberty, viz. That of the inconsistence of the safety of a Protestant Prince, or state, or kingdom, or people, with liberty in the same dominions given to Roman Catholic Subjects: and consequently when by doing so, you shall have done yourselves all the greatest right you can think of, viz. you shall have conformed to the inward dictates of a good conscience, wiped off from your holy Religion the outward scandal of most wicked principles, yielded to victorious truth wheresoever you behold her; and which is and must be consequential, when you shall have thus, after a tedious contest of above a hundred years, advanced on your side, the first considerable step to meet halfway, the Right Reverend Prelates, and other learned teachers of the Church of England, in order to a happy reconciliation at last of the remaining differences. Then may you confidently expect from their side also, (i. e. from his most gracious Majesty, and the great wisdom and piety of both Houses of Parliament) all that ease, relaxation, indulgence, peace, kindness, love, which by any men, dissenting yet in so many other points from the religion established by law, can be in reason expected, even a repeal at least of all the sanguinary and mulctative laws. For to expect an equality in all privileges with those that are of the Protestant Church, until God be pleased to bring you nearer them, or them to you, than in a mere profession (how real, and cordial, and universal or comprehensive soever) of allegiance to the King in temporal or civil affairs only; I say, till that day come, which we pray for, it will (I believe) seem unreasonable to yourselves, to expect that equality with them, which they were not to expect of you, if you had the power in your hands, and they were in your condition. How can they in reason expect so much favour as they now shew us, if they retain any memory of former times, and consider the now prevailing party amongst us, and papal constitutions even at this present governing that party, at least in relation to such as are reputed heretics or schismatics by the consistory at Rome.

XV. That of those ecclesiastics who (as the English opposers of the oath of allegiance, or the Irish persecutors of the loyal remonstrance) shall endeavour to persuade your continuing always *Rigid Papalins*, maugre Heaven and Earth; and so stifle any motion or thought of giving a Protestant Prince or Parliament any more satisfaction in the principal point either of consistence or inconsistence, &c. than yourselves or your predecessors have given hitherto; some of them are naturally averse to the Crown of England, and would be so, though it were

were as entirely devoted *now* to the See of Rome as it was at Dover, when King John laid it there at the Legate's feet; others are daily expectants of *Mitres*, and Titles, and Bulls, and Dignities, from that city of Fortune; others have already taken the formal or ceremonial possession of their now most illustrious, and most reverend Lordships, (and these also have already bound themselves Liege-men to his Holiness, even by the very strictest oath *(a)* that could be sworn or penn'd, especially being the Pope himself is the only interpreter thereof; and those that now gape for promotion, must hereafter, when they can catch it, be likewise sworn by the very same oath, before they be either installed or consecrated) others are not only by the general vow, of *regular obedience*, but either by another special one of mere *blind obedience*, or at least, *special interpretation* of the said general vow, tyed for ever to travel into any part of the earth, and do whatever his Holiness shall command them, without examining the reasons of his will; and these are they who fish most and best in troubled waters, nay, who make all fish that comes to their net; other are of the

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(a) The oath is here inserted, but it is needless to give it room, as it is so universally known: follow his remarks—Whosoever shall consider all and every the special ties of this oath, will not much admire at the carriage either of the ecclesiastical and national congregation of the Irish Archbishops, Bishops and other Ecclesiastics at Waterford in Ireland, under the presidency of the Papal Nuncio Rinuccini in the year 1646, against the peace of the same year, or of the other of the Prelates of the said kingdom after at James's town against the peace of the year 1648, both the one and the other, as to their Archbishops, Bishops, and Abbots, took the said oath to the Pope. And none of them took either of the oaths, of supremacy, or allegiance, to the King, or indeed any other at all to him, save only that of the Irish association; whence moreover is consequent, that we must not wonder if their successors, the present Irish Archbishops, Bishops, and Abbots, of the Roman Communion (besides the doctors of divinity, law, and physic, of the same Communion and nation, graduated abroad in Catholic Universities, and consequently tyed to the Pope by another special oath) follow upon occasion the example of their said predecessors, nay, there is not so much as an Irish oath of association to oblige these latter to acknowledge the King, much less to be true to him. For we know they condemn not only the oaths of supremacy and allegiance, but even the Irish remonstrance of the year 1661, and persecute it to boot. NAY, WE KNOW THEY MUST BE PERJURED TO THE POPE, IF THEY PROVE FAITHFUL TO THE KING. Whether so, or no to God, judge you. *I am sure, if they were not traytors in taking the foresaid oath to his Holiness, they were at least renouncers of their allegiance to his Majesty, and of their obedience also to the Catholic Church.*

the sect of *indifferents*, except where their own individuals are concerned, and in order to some peculiar temporary advantage to themselves; others are mere pretending *Zealots*, *Bigots*, *Hypocrites*, but withal ignorant enough most of them. I have the charity to think there are others, who either dare do no other for fear, and that partly *excuses*, or who want parts or means to know better, which is the only thing that can make them *innocent* in this matter.

XVIII. That in the last place, having your eyes thus prepared, all these things being considered, you may clearly see through that other sly artifice of those self same interested men, whereby they would persuade you, at least to so much filial reverence to the great Father of Christendom, as to acquaint him first with your present condition, send him a copy of the public instrument you intend to fix upon, with the reasons also inducing you thereunto; pray his approbation thereof in order to your signing it; and then expect a while his paternal advice and benediction, before you make any further progress.

You may, at the very first hearing of this proposal, plainly discover their design to be no other, than by such indirect means of cunning delays, under pretence of filial reverence forsooth, to hinder you for ever from professing (at least to any purpose i. e. in a sufficient manner, or by any sufficient formulary) that loyal obedience you owe to his Majesty, and to the laws of your country in all affairs of mere temporal concern. This you cannot but judge to be their drift, unless peradventure you think them to be really so frantic as to persuade themselves, That from *Julius Cæsar* or his successor *Octavian*, after the one or the other had by arms and slaughter tyrannically seized the common wealth, any one could expect a free and voluntary restitution of the people to their ancient liberty; or (which is it I mean, and is the more unlikely of the two) that from Clement 10th now sitting in the Chair at Rome, or from his next, or from any other successor, now after six hundred years of continual usurpation in matters of highest nature, and now also after the lives of about fourscore Popes, one succeeding another since *Hildebrand* or *Gregory* 7th his Papacy, and since the deposition of the Emperor Henry 4th by him in the year of Christ 1077, any one should expect by a paper petition, or paper address, to obtain the restoring or manumising of the christian world, kings, states and churches to their native rights and freedom, or indeed that it could be other than ridiculous folly and madness to expect this. And yet certainly this must be the natural consequent of the Popes or present Papal Courts giving you licence to sign such a public instrument, as will do yourselves and religion right, amongst his Majesty's Protestant Subjects, or as, even among yourselves, will satisfy the more ingenuous, loyal and intelligent persons.

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The XVIII paragraph is inſerted to ſhew that the Popes have for 700 years aſſerted their power over the temporals of Kings, that they have never diſclaimed or given them up, and that nothing but ridiculous folly, madneſs and frenzy can make any one expect it. And this may inform us why Doctor Butler and his Suffragans did not apply to Rome, and what would have been the anſwer, or evaſive procedure, if they had

We further learn, from theſe extracts, what to think of the doctrines which have been embraced by the bulk of Iriſh and Engliſh Papiſts; what to think of the conſecration oath; to perceive why the Popiſh Clergy of theſe kingdoms adhere more ſtrongly to the Pope's claims, than thoſe of any other Roman Catholic country, namely becauſe from the Pope alone they have received and expect any preferment which is not the caſe in any other country, and as it appears how difficult it is to frame an oath which ſhall not be liable to ſome evaſion, we may, without being wanting in the reſpect due to the Legiſlature, ſay that the oath in the act 1774 is inſufficient; nor will they think their honour requires that they ſhould be deemed as well verſed in the artifices of equivocation, as an old Franciſcan who had been dealing in them (in order to detect and oppoſe them) during a long life. I have therefore preſumed to ſketch out a formulary *ad mentem Valeſii* which is ſubmitted to the conſideration of thoſe whom it may concern.

Page 566. By the ſame reaſon theſe Franciſcan Leaders could pretend a liberty to frame one (a Formulary) from themſelves, and not ſubſcribe the firſt, upon the ſelf-ſame or like account. I ſay, the Dominicans might, and likely would pretend not to be tyed to any formulary that oppoſed the conſtant doctrine of their *Theriſtrical Schools*, or of *St. Thomas* of *Aquin*, as that very laſt of the Franciſcan Scotiſts ſeemed to do, how vain ſoever in itſelf otherwiſe. And the ſame liberty alſo upon the ſame, or ſome ſuch ground, might and probably would all and each of the other different or diſtinct parties of the Iriſh Clergy, whether ſecular or regular, aſſume to themſelves. And why not conſequently upon the ſame grounds, come at laſt to the late and wicked paradox of ſome of thoſe very Iriſh Jeſuitical Anti-remonſtrants, viz. That it was to no purpoſe to expect any profeſſion, declaration, or oath of allegiance, fidelity, or obedience from them, in any certain, (nay, or even in any uncertain) form of words, being it was in point of Conſcience, lawful enough for ſuch as would or did take ſuch oath, to decline from, retract, and break it, even the very next day, or next hour after having taken it ſo: provided only they followed herein the doctrine of the *Probabiliſts*, i. e. they had known or did ſufficiently underſtand, there had been, or were then at preſent, ſome divines (nay, one ſingle divine would ſerve for need) who held ſuch formulary or oath to be unſafe, or unſound in Catholic Religion, or otherwiſe unlawful or ſinful. Now

who doubts they could find not only one, but hundreds of Divines (though otherwise not worthy that name) of their own party, who hold, That any kind of oath of allegiance to a heretic, either Prince or State, is unlawful, because against so many papal Canons? But more especially such form or oath as expresly bound them to be faithful and obedient to the King (though but in temporal matters) in opposition to the Pope? And most of all such form or oath as had been already condemned for such, by the censure of a Roman Catholic university, and letters also of Internuncios, and Cardinals, declaring that his Holiness too had condemned it for such?

See the Decretals of Gregory 9. l. 5. tit. 7 de hereticis and those of Boniface 8. l. 5 de heret. tit. 2. in sexto. And join these and those with Bulla cœnæ, and with the Title *de jurejurando* of Gregory 9th. Decretals l. ii. tit. 24 taking together the doctrine of Cap. *Si vero* and Cap. *Verum* and Cap. *Quanto* and Cap. *Venientes* and Cap. *Ad nostram*, and Cap. *Sicut nobis*, and lastly of Cap. *Nimis*, all in the same Title de *jurejurando*. extra.

Or who moreover doubts whether the Protestants of England, or King or State thereof, be either in the judgment of those hundreds of very zealous Roman Catholic divines, or in that of the Pope himself, and all his courts, consistories, and tribunals at Rome, or elsewhere, esteemed, reputed, and without any contradiction or question judged, to all intents and purposes, to be heretics and to lie under all the solemn curses, excommunications, and Anathemas pronounced yearly on *Maunday* Thursday at Rome not only against all sorts of heretics, and believers of heresies, and their receivers, Favourers, Abettors, &c. and all sorts also of schismatics, but even against so many other sorts of transgressors, especially in the point of ecclesiastical immunity? Nay and to lie also under all the other penalties of the papal Canon law, and consequently under that of the loss of all dominion, or property in land or goods; being all such of heretics are *ipso jure*, and before any sentence of a judge confiscated? For so both Boniface 8. long since determined the Case. cap. *cum secundum leges*, de hereticis in 6. Certainly no man conversant in the Roman, either, Canonists or Divines, can justly say those anti remonstrants could want the patronage and warranty of some hundreds of such authors or divines to maintain the above wicked parodox. And therefore yet in the more wicked practice of the same paradox, (and practice thereof, I say, in the present matters) and pursuant to it, together with their other Tenets, they would be ready enough to alledge in defence thereof, 1. That reason of innocentius 3d the Roman Pontiff to the King of Arragan (cap. Quanto de Jurejurando) *Cum juramentum, non ut esset* iniquitatis vinculum, fuerit institutum. 2. That other passage also of the same Pope (in cap. Venientes, eod tit.) to the Consuls and people of Tudertum, where he declares and gives a leading rule, that no oath binds to the prejudice of a superior power, especially that of his own papal See, and that this of the apostolical See must be always understood to be excepted, in every kind of oath made

to

to any others whatsoever; this being the meaning (as appears in that whole chapter) of these words of that Pope to them, *cum prædictum juramentum vos excusare non possit, in quo debet intelligi jus superioris exceptum.* 3 This also of the very same Innocent, writing to the Archbishop of Naples (cap. Ad nostram eod. tit.) *Nec tu, quando sub præmisso tenore jurasti, habebas in mente, ut propterea venires contra canonicas sanctiones: alioquim non juramentum, sed perjurium potius extitisset: necesset aliqua ratione servandum.* 4. Moreover yet this other of the same great Pontiff (writing to a certain Judge *Judice Carolitano* cap. Ea. eod. tit.) *Cum igitur Nobis & Ecclesiæ Romanæ fidelitatem facere tenearis, si præstitum juramentum ei quod a te nobis, tanquam debitum, est præstandum, contrarium reputas, illud illicitum judicabis, & illicito, non obstante quod licite, immo ex debito, exhibebis.* 5. Further yet, this also of the very same Innocent to another Bishop Episcopo Amelienſi (as you find it in cap. Sicut. eod. tit.) *Quia non Juramenta sed perjuria potius sunt dicenda quæ contra utilitatem ecclesiasticam attentantur; because,* says he, *they are not to be called oaths, but rather Perjuries, which are taken against the utility, or profit ecclesiastical.* 6. And lastly what you read in Cap. *Nimis.* eod. tit. attributed by Gregory 9. to his uncle the foresaid Innocent as decreed by him in the 4th and great council of Lateran and by the joint authority also of the same council decreed (which yet is very false as you have before seen in this work,) *Nimis de jure divino quidam Laici usurpare nituntur, cum Viros ecclesiasticos nihil temporale obtinentes ab eis, ad præstandum fibifidelitatis juramenta compellunt. Quia vero secundum apostolum servus suo Domino stat aut cadit sacri authoritate Concilii prohibemus. Ne tales Clerici personis secularibus præstare cogantur hujusmodi juramenta.*

Page 143. As soon as the fathers had so dissolved.—Father Ronan Magin—desired me to go with him to the King's Castle, and the Lord Lieutenant there, that he might have the honour of kissing his Grace's hand, before he departed home to his Diocese; I willingly yielded, the rather that my own duty required I should myself however wait that morning on his Grace, to give him an account of the Congregation's being dissolved; and I was glad to have some one of the members present when I gave it, because my further duty required I should therein let his Grace understand what other matters had been treated of that morning before the Fathers dissolved.

Being therefore both admitted by his Grace into his closet, and I giving that account, and amongst, or before, other matters, how I was necessitated to oppose the Bishop of Ardagh to his face before all the Fathers, in that, either through wilfulness, or dulness, he had so strangely misrepresented (in public to the whole Congregation) his Grace's answer to him (and his fellow-commissioner) and thereby endeavoured to amuse the Fathers, and make them hug their own stubborness, and his Cabals unhappy contrivances: that which mightily grieved me then to hear, and was never since (upon any due occasions) out of my mind, and therefore thought fit to take special notice of here, is what his Grace thereupon with very great feeling declared, viz. *That (says he) these twenty years I had to do with*

these

those Irish Bishops, I never found any of them either to speak the truth, or to perform their promise to me; only the Bishop of Clogher excepted; for during the little time he lived after his submission to the peace, and commission received from me, I cannot charge him. Nor could I choose but be mightily troubled, when I heard from *his Grace's* own mouth and on that occasion, and before another witness too, such a character of so many Roman Catholic Prelates, even all the Archbishops and Bishops of the whole nation, being five or six and twenty, or thereabouts. For I know there was no man alive had reason, or the opportunities and occasions to know them better than he did; no man, that tryed them more to the quick, even in the weightiest matters, could be; and I knew very much of their failings myself: and was no less certain even by the experimental knowledge, I myself likewise for so many (ever since 1648,) had of his Grace's veracity, that he spoke his own inward conscience in that testimony, how general and pungent soever; and therefore I concluded *that surely he must have very much prejudice against a religion or Church that was chiefly and generally (throughout a whole nation) governed by such spiritual guides.*

And this conclusion which I derived then presently was *it* that so much troubled me, when I heard him speak that his testimony, and withall observed not only his action or gesture, viz. how at the same time he laid his hand on his breast, but even his *religious* asseveration in these other words, *as I am a Christian*, premitted to the said, either testimony, or whatever else you please to call it, whether declaration, answer, observation or complaint, of which action and asseveration I took indeed the more special notice then, and now again do take here, that I never observed him, before or after, on any occasion whatsoever, to have averred (or denied) any thing in that manner, i. e. either with any such laying of his hand on his breast, or any such calling his *Christianity* to witness, as neither in truth with any other kind of oath. As for the rest, not only my trouble, but my wonder (for I did also wonder much those Irish Bishops generally could have been such men) had been very much less, even at that very time, had I before seen his long and excellent letter (of all the transactions 'twixt him and those Bishops but for two years only i. e. from the year 1648 to the 29th October 1650) written by him as Lord Lieutenant of Ireland from Kilcolgan, 2d December 1650, to the last general assembly of the three Roman Catholic estates of that nation.

The author goes on to relate, that intelligence came from the Earl of Sandwich, Ambassador in Spain, that Reilly Roman Catholic *Archbishop and Primate of Ardmagh had gone to Ireland from France, with a real purpose and out of mere design to raise the Irish again into rebellion, or at least to prepare for it by all the arts he could.* Notwithstanding which he had only a guard set on him, who treated him with much respect, no persons hindred to visit him and stay with him as long and as or any as pleased, nor he to say mass to them, nor to exercise

exercise other priestly or episcopal Function; he was sent for by the Privy Council, and not even looked on severely but obligingly asked, whether he would go, and he chusing to go through England to France, he was accordingly sent there, a gentleman at the public expence attending him.

That the Bishop of Kilfenuragh fled without any reason, except the check of his conscience for his behaviour in the Synod, or his great hopes of both a home insurrection and foreign invasion, or his little care of his diocess, though the whole episcopal care of Munster devolved on him, or the gainful pretence of being forced to flee for Catholic Religion for sooth, yielding him 300 pistoles a year in France. That he was often invited to come home, and take care of his flock, as others did of theirs, in other parts of the kingdom, and was assured of permission so to do till he died in 1664, Bishop of Ferns, another of the six invited home and assured of protection and favour; and Burk, Archbishop of Tuám who signed the declaration and excommunication living at home with all freedom; and several others introduced by Walsh to the Duke of Ormond in 1663, 64, 65 and 66 some subscribers to the disloyal acts of James-town, and the rest known violent Nunciotists. "And besides these in particular, "witness also in general the whole body of well nigh 2000 "churchmen whereof the far greater part had formerly "joyned with, or submitted to, his capital adversaries the "Nuncio and his Prelates, yet all now indistinctly under "his own Government, and by his authority and clemency "protected at home." That though he had been one of the Jamestown committee in 1650, and one of those six who delivered the disloyal answer, yet it was not remembered against him, witness Bishop of Dromore, another of them, who was civilly received, and treated with much respect, and that from 1669 to 1673 after the Duke of Ormond's removal 13 or 14 new Bishops 4 of them Archbishop's all created by the Pope, publicly and freely exercised their functions at home in Ireland)

The Bishop of Ardagh resided where he pleased, never on his own Diocese, he ordained vast numbers even of the most illiterate, and in all respects contemptible persons, "whereby the order of Priesthood was despised, even by "the Roman Catholics, it being reported to be more easy "to find a Priest in Ireland, than a horse-groom, or cow-"herd." He goes on.

What is my purpose here, is to assure the reader, that both he and all the rest of the members of the congregation, nay and of all the Roman Catholic Irish Clergy in general throughout Ireland, were at full liberty, even after the said congregation was ended, and notwithstanding even any carriage, or rather miscarriage of any, or all the fathers therein, or else where, and certainly

continued

continued so free during the Duke of Ormond being Lord Lieutenant of Ireland. Unless peradventure some malicious man will take exception here at the restraint of some few Priests long after, those Priests, I mean, who in Ulster and Connaught, were for some little time secured upon account or at least suspicion of their favouring and abetting, or at least their not discountenancing the *Tories* (or Outlaws, Woodkerns and Highwaymen) that in great numbers run out and wasted the countries. But even these very Priests *though only on such account seized*, were all of them, within a little time, set free again, entering security to answer when called upon.

Of all which matters any way relating to the King's Lieutenant and those Bishops, and their now dissolved congregation, I would in this place inform the Reader, because I know by experience they have already been falsely represented by some others, and may yet further by their *Historians*, if they see nothing extant otherwise in print to check their false reports.

These are inserted to shew how little ground there is for complaints of persecution and what false representations they have always made and continue to make: as a specimen of equivocations and evasions here follows the recognition which the Synod signed 15th June 1666, (instead of the remonstrance which is before given, and which was pressed on them) with Father Walsh's exceptions to it.

We your Majesty's subjects the Roman Catholic Clergy of the kingdom of Ireland together assembled, do hereby declare, and solemnly protest before God and his holy Angels, that we own and acknowledge your Majesty to be our true and lawful King, supreme Lord, and undoubted Sovereign, as well of this Realm of Ireland, as of all other your Majesty's Dominions, consequently we confess ourselves bound in conscience, to be obedient to your Majesty in all civil and temporal affairs, as any subject ought to be to his Prince, and as the laws of God and nature require at our hands. Therefore we promise, that we will inviolably bear true allegiance to your Majesty, your lawful heirs and successors, and that no power on earth shall be able to withdraw us from our duty therein. And that we will even to the loss of our blood, if occasion requires, assert your Majesty's Rights against any that shall invade the same or attempt to deprive yourself, or your lawful heirs and successors of any part thereof. And to the end this our sincere protestation may more clearly appear, we further declare, that it is not our doctrine, that subjects may be discharged, absolved or freed from the obligation of performing true obedience and allegiance to their prince: much less may we allow of, or pass as tolerable, any doctrine that perniciously and against the word of God maintains, That any private subject may lawfully kill or murder the anointed of God, his Prince Wherefore pursuant to the deep apprehension we have of the abomination, and sad consequences of its practice, we do engage ourselves to discover unto your Majesty, or some of your Ministers, any attempt of that kind, rebellion or conspiracy against

against your Majesty's person, crown, or royal authority, that comes to our knowledge whereby such horrid evils may be prevented. Finally, as we hold the premises to be agreeable to good conscience, so we religiously swear the due observance thereof to our utmost, and will preach and teach the same to our respective flocks. In witness whereof we do hereunto subscribe the 15th day of June 1666.

The first exception (comprizing all in general, as the rest descend to particulars) is, that of set purpose, and to be free of all engagments, when or if occasion requires, the contrivers framed it so, that in the most material parts, it varies from the former protestation, and varies not only as to single words, but as to entire clauses, both in words and sense.

2d. That they decline mentioning the Pope, by this (although most honourable) title, or any other title proper to him, or by any word sufficiently (as from them) comprehending him.

3d. That they do not positively and absolutely, but relatively, conditionally and modally acknowledge C. II. to be their true and lawful King, supreme Lord, and undoubted sovereign of Ireland.

4th. That neither according to this relative, conditional, modal recognition, it acknowledges C. II. to be *rightful* King of Ireland, which yet the former did, but this latter not: leaving so the subscribers elbow room to play fast and loose with their distinctions; and say, they so acknowledge him to be King of Ireland, *de facto* only, or only at most by that presumptive *right*, which is from human laws in force, not by that which is *the true right only*, and is only derived fromthe laws of God, or nature, or canons of the Church.

5th. That by the title of *Supreme Lord*, in this remonstrance, and from that congregation, must not be understood a supremacy of lordship, not subordinate in temporals, to the pretended both temporal and spiritual supreme Lord of the whole Earth, or at least of the whole christian Earth. Nor (which is the same thing) a supremacy of independence in temporals, at least in all such cases, from any but God alone. But only such a supremacy in temporals as ordinarily excludes subordination in power to, or dependence in such from, any of his own people, or even from, altogether in most cases, and in ordinary cases also from the Pope or Church; tho' not from the Pope, Church or People in some extraordinary contingencies.

6th. That consequently the profession of their being his *Majesty's subjects* made here by the congregation, signifies no more but a *subjection* answerable to such a Lordship and such a Kingship. And yet further such subjection as obliges them not to acknowledge themselves thereby, or by the laws of God, or canons of the Church, bound under *pain of sin* to obey him: Or by such laws or canons bound under any pain to obey him, *as much as other subjects ought, or as much as the laws of the land, or human rules of government in this Kingdom require at their hands.*

7th That as from them, it doth not bind them not to acknowledge and assert always (what they, or any of them, at any time hitherto have contended for, or do contend, or at least pretend that they con-

 tend

tend for, even at this present) their divine or celestial, their extraordinary and casual, as well positive as negative, supreme temporal power or pretended power of the Pope, over, in, or to the kingdoms of Ireland, England, &c. as well as over all other kingdoms, and as well, and as truly and properly, over their temporals as over spirituals, at least, *ratione peccati*, or *in ordine ad spiritualia.*

8th. That as from them, it does not sufficiently exclude, disacknowledge, or disown, the Pope's even mere human pretences, or pretences of mere human right, by donation, submission, prescription, *Peter* pence, feudatory title given, or forfeiture made, &c. to the temporal supremacy, or supreme temporal kingship, lordship, or supreme power of Governmentship of England, Ireland, &c. in some cases, as being in such cases legally devolved to him, and by him to be disposed of at his pleasure, to whom he will.

9th. That as from them, it no way binds them, or any else, to disown the Pope's pretended lawful power, either divine or human, for dethroning, deposing, or depriving the King, or binds them any way to disallow of the pretended, just, and lawful execution (if any should happen) of such power or pretended power, by excommunication (and actual denunciation of such censure, and of all the penalties annexed by papal constitutions) or by other sentence or declarations, or by any other means whatsoever. Nor, as from them, binds them, or any other, not to obey the Pope in such matters, and disobey the King. Nay, not both to disobey him as a King, and fight against him as a Tyrant, and as a Tyrant too, as well by title as administration, according to the doctrine of Suarez. *Def. Fidei Cath. L. 6. C. 4. de forma Juram.*

10th. That as from them and pursuant to their meaning, by the title or word *supreme*, it professes not against that other seditious doctrine of a pretended natural, and inherent right or power in the people themselves, to depose the King when they judge it necessary. A power more properly supreme, than that attributed by this Remonstrance to the King; though not, according to Bellarmine, and those of his way, to be compared at all to that of the Pope, which always must be *the superlatively supreme* over all.

11th. That as from them, it binds them not, nor any other, not to approve of the practice of that wicked maxim, which avers it lawful, in some case, for subjects to murder, or to kill, not only their prince of a different religion from theirs, but even their prince of the same true Catholic religion with them.

12th. That as from them, it doth not bind them to acknowledge the King's either coercive or directive power of themselves. Or, that they, or any other clergyman, are bound under pain of sin to submit (by a passive obedience) to the coercion, or (by an active obedience) conform to the direction of any meer lay magistrate, or prince, (how supreme or rightful soever) or of his laws, not even in things otherwise indifferent, or not prohibited by the laws of God, nor even in things not prohibited by the canons of the church: if not peradventure to such lay princes only, and such laws of theirs (if there be indeed

indeed any ſuch) as are particularly, and eſpecially privileged by the Pope. And conſequently does not bind them to condemn or diſown that moſt wickedly dangerous aphoriſm (attributed to *Emanuel Sa*, in ſome of his editions; but certainly, neceſſarily, and evidently derived from Bellarmine and Suarez, &c.) That in relation to any meer lay prince, or king, or ſtate, clergymen cannot be ſaid in any caſe whatſoever to be guilty of high treaſon, or of that horrid crime (of *Læſæ Majeſtatis*, or) of defying, denying, or leſſening Majeſty.

13th. That in caſe the Pope ſhould declare this Remonſtrance of theirs to be uncatholic or unlawful, or any way unſafe in point of conſcience, as to thoſe very ſmall, inconſiderable acknowledgments or promiſes which they make, or intend to make there, (if any at all indeed they make, or intend, together with ſo many quibbles and fallacies) yet this Remonſtrance, at leaſt as from them, does no way bind them (after ſuch declaration of the Pope) to hold as much as to ſuch, however inconſiderable, acknowledgments or promiſes.

14th. That further yet, as from them, and without relation to any ſuch matter declared by the Pope, it leaves them always at liberty upon another account, not to hold to their ſaid however inconſiderable acknowledgments and promiſes, viz. upon account of their maxims of extrinſic probability, or of their perſuaſion of the lawfulneſs of changing opinions, and of practiſing too, according to the contrary opinion of others, and conſequently of practiſing againſt all their acknowledgments, ownings, declarations, promiſes and oaths, in this their own Remonſtrance, according to the doctrine of ſuch Catholic Authors as maintain all oaths of allegiance made to a heretic prince, to be rendered abſolutely void by the very Canons of the Roman Church, *in corpore juris canonici*.

15th. That finally as from them, it leaves them ſtill at liberty to ſay they framed and ſubſcribed it according to the very largeſt rules of equivocation and mental reſervation, and with as many and as fine abſtractions, exceptions, conſtructions, reſtrictions, and diſtinctions too, eſpecially that of the ſpecificate and reduplicative ſenſe, as any of the moſt refined authors, and moſt converſant in ſuch matters, canoniſts, or caſuiſts, or ſchool divines, could furniſh them with in time of need.

According to theſe exceptions of Walſh to this Recognition the following exceptions may be taken to the oath in the Act, 1774.

THAT they do not poſitively or abſolutely, but at moſt relatively, acknowledge King George to be lawful King of Ireland.

That they do not acknowledge him to be *rightful* King.

That they do not ſay they are bound under pain of ſin, to pay obedience in all things civil and temporal to him and to the laws of the land, as they are accepted and underſtood by the preſent Governmen . And this notwithſtanding any excommunication, ſentence of depoſition, deprivation, or other ſentence iſſued or given by the Pope, or any other perſon or authority whatſoever.

That they do not ſay, Heirs and Succeſſors, but Heirs only, which they may confine to the iſſue of his body.

That they ſay his Majeſty's family which may bear the ſame confined ſenſe, whereas it ſhould be the ſucceſſion of the crown as limited by the Act 12th Wm. IIId. to the heirs of the body of princeſs Sophia being Proteſtants.

That claiming or pretending a right to the crown includes only thoſe who do ſo now; it ſhould be who do or ſhall claim, &c. except according to the aforeſaid Act of limitation.

That this is ſo generally expreſſed that it doth not anſwer the end propoſed, which is to declare that Kings or others in this kingdom may not be put to death *becauſe* they are condemned as Heretics by the Pope or any other judicature; as it ſtands, by declaring it unchriſtian and impious to murther or deſtroy they muſt mean, *without ſentence*, for they cannot mean to ſay ſo of thoſe who are put to death for hereſy, in conſequence of ſentence of the Inquiſition, or other tribunal in Roman Catholic countries.

That the doctrine is not that *no* faith is to be kept with heretics, but that faith given to a perſon, may ſometimes be broken, or is not binding, if that perſon be a heretic, or if he be excommunicated by the Pope, or if the Pope diſpenſes with the obſervance of it, or commands him not to keep it, as a puniſhment to that excommunicated perſon.

That it is not ſufficiently explicit, that princes ſo excommunicated do not thereby loſe any of their rights or authority, or that ſubjects are not thereby releaſed from their allegiance or other duty to them, or that notwithſtanding any ſuch excommunication all the rights of princes and all the duty of ſubjects do ſtill remain to and upon them.

That it doth not declare they do not acknowledge any ſpiritual power in as much as it may ſeem able, or pretend, to free, diſcharge, or abſolve them or any of his Majeſty's ſubjects from this obligation, or ſhall any way give them leave or licenſe to raiſe tumults, bear arms, or offer any violence to His Majeſty's perſon, authority, or to the ſtate or government, or to the laws as they now ſtand, or hereafter ſhall be enacted.

That it doth not declare they do not think that prieſts or other eccleſiaſtics are exempted from the power of the king and laws, nor that they believe that all eccleſiaſtical perſons are as much ſubject to, and bound by, the laws, as any other perſons whatſoever, and that whatſoever actions would make any other perſon guilty of high treaſon, or of any other crime, would make an eccleſiaſtical perſon guilty of the ſame.

That they do not declare againſt the doctrines of probabilities, or that they do not believe that any perſon, in any caſe, is or can be juſtified in any act or deed, becauſe any other perſons, even the Pope ſay, that it is lawful or ought to be done, if he doth not think ſo himſelf, and that they believe that if he doth any act which he himſelf thinks is a ſin, he is thereby guilty of mortal ſin.

That

That it doth not declare they believe it would be as unlawful and ſinful to uſe any evaſion, equivocation or mental reſervation in this oath and declaration, as it would be to deny, abjure, or renounce upon oath the doctrine of Tranſubſtantiation, or any other article, which by the indiſpenſible condition of the communion of the Church of Rome they may not diſſemble upon oath.

Sketch of an Oath, wherein equivocations and evaſions are endeavoured to be guarded againſt; tho' poſſibly even this might not be ſufficient.

I, *A. B.* do take Almighty God and his only ſon Jeſus Chriſt, my Redeemer, to witneſs, that I do acknowledge his Majeſty King Geo. III. to be the true, lawful, and rightful King of Great-Britain and Ireland, and of the dominions thereunto belonging, and that I will bear faithful and true allegiance to him, and that I am bound under pain of ſin, to pay, and will pay obedience in all things civil and temporal to him, and to the laws of the land, as they are accepted and underſtood by the preſent Government, and this notwithſtanding any excommunication, ſentence of depoſition or deprivation, or other ſentence, iſſued or given by the Pope or any other perſon or authority whatſoever, and that I will defend him to the utmoſt of my power againſt all conſpiracies and attempts whatever that ſhall be made againſt his perſon, crown or dignity, and I will do my utmoſt endeavour to diſcloſe and make known to his Majeſty, his heirs and ſucceſſors, all treaſons, and traiterous or ſeditious conſpiracies which may be formed againſt him or them. I will maintain, ſupport, and defend to the utmoſt of my power, the ſucceſſion of the crown, as it is limited by an Act paſſed in the 12th year of King Wm. III. entitled an Act for the further limitation of the crown to the heirs of the body of the late princeſs Sophia, being Proteſtants, againſt any perſon or perſons whatſoever, hereby utterly renouncing and abjuring any obedience or allegiance unto, &c.——and to any other perſon claiming or pretending, or who ſhall hereafter claim or pretend any right to the crowns of theſe realms, ſave and except according to the abovementioned Act of limitation, and I do ſwear that I do reject and deteſt as unchriſtian and impious to believe, that Kings or any perſon in theſe realms may be put to death becauſe they are condemned by the Pope, or any other Judicature, as heretics, apoſtates, or otherwiſe, or that it is lawful to murder heretics; and alſo that unchriſtian and impious principle, that faith given to a perſon may be broken, or is not binding, if that perſon is a heretic, or if he be excommunicated by the Pope, or if the Pope diſpenſes with the obſervance of it, or commands it not to be kept, as a puniſhment of the excommunicated perſon, or otherwiſe: I further declare that it is no article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated by the Pope and Council, or by any authority of the ſee of Rome, or by any authority whatſoever, may be depoſed, or murdered, by their ſubjects, or by any perſon whatſoever,

whatſoever, or that princes ſo excommunicated do thereby loſe any of their rights or authority, or that ſubjects thereby are releaſed from their allegiance, or other duty to them, and I do believe that notwithſtanding any ſuch excommunication, all the rights of Princes and all the duties of Subjects, do ſtill remain to, and upon, them; and I do promiſe that I will not hold, maintain, or abet, any ſuch opinion, or any other opinion contrary to what is expreſſed in this declaration; and I do declare that I do not believe that the Pope of Rome, or any other foreign prince, prelate, ſtate or potentate, hath, or ought to have, any temporal or civil juriſdiction, power, ſuperiority, or pre-eminence, directly or indirectly, or any ſpiritual power in as much as it may ſeem able, or pretend to free, diſcharge, or abſolve me, or any of his Majeſty's ſubjects, from this or any other obligation to him, or ſhall give me or them leave or licenſe to raiſe tumults, bear arms, or offer any violence to His Majeſty's perſon or authority, or to the States or Government, or to the Laws as they now ſtand, or ſhall hereafter be enacted; and I do not believe that prieſts, or other eccleſiaſtical perſons are exempted from the power of the King, or of the laws, but I do believe that all eccleſiaſtical perſons, are as much ſubject to, and bound by, the laws, as any other perſons whatſoever, and that whatſoever action would make any other perſon guilty of high treaſon, or of any other crime, would make an eccleſiaſtical perſon guilty of the like crime. And I do not believe that I am, or can be, juſtified, in any act or deed, becauſe the Pope, or any other perſon or perſons, ſay that it is lawful, or ought to be done, if I do not think ſo myſelf, and I believe that if I do any act which I think a ſin, I am thereby guilty of mortal ſin; and I do profeſs, teſtify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary ſenſe of the words of this Oath, as they are commonly uſed and underſtood by Proteſtants, without any evaſion, equivocation, or mental reſervation whatever, and without any diſpenſation already granted by the Pope, or any authority of the See of Rome, or any perſon whatever, and without thinking that I am or can be acquitted before God or man, or abſolved from this declaration, or any part thereof, altho' the Pope, or any other perſon or perſons, or authority whatſoever, ſhall diſpenſe with, or annul the ſame, or declare that it was null and void, or ſinful from the beginning. And I do believe and declare it would be as unlawful and ſinful in me, to uſe any evaſion, equivocation, or mental reſervation, in this my oath and declaration, as it would be to deny, abjure or renounce upon oath, the doctrine of tranſubſtantiation, or any other article which by the indiſpenſable condition of the communion of the Church of Rome may not be diſſembled upon oath.

NUMBER II.

Censura Doctorum Universitatum Salmanticæ & Vallisoleti de presenti Iberniæ bello, & eorundem declaratio literarum sanctissimi Domini nostri Clementis Papæ VIII. super eodem bello.

ILLUSTRISSIMUS Princeps Hugo Onellus bellum gerit cum Angliæ Regina & Anglis, ob catholicam Religionem tuendam, ut scilicet liceat illi & Ibernis libere Catholicam Religionem profiteri, quam libertatem vi & armis Angliæ Regina conatur eripere. Duo nunc circa hoc bellum in dubium revocantur: alterum est, an liceat Catholicis Ibernis predicto principi Hugoni in eo bello favere armis & quibuscunque alüs modis? Alterum, an eisdem Catholicis liceat pugnare contra prefatum principem citra *mortale peccatum* & anglis in eo bello favere Armis & quavis alia ratione? Presertim cum si Anglis hoc auxilii genus negent manifesto vitæ periculo, aut amittendi bona temporalia sese exponant. Et preterea cumipsis Catholicis Iberniæ a summo Pontifice *sit permissum*, ut possint predictæ Reginæ Angliæ obedire, ac, ut legitimam Reginam, tributa illo solvenda, recognoscere, videntur id prestare posse quod subditorum est pugnare scilicet adversus Reginæ Rebelles qui debitam ei obedientiam negant, & terram illius ditioni subjectam usurpare videntur. Ut utrique questione satisfiet, tanquam certum est accipiendum posse Romanum Pontificem fidei desertores, & eos qui Catholicam Religionem oppugnant, armis compellere, ac coercere cum alia ratio non suppetat tanto malo occurrendi. Est preterea ut firmum constituendum Angliæ Reginam Catholicam religionem oppugnare nec permittere Ibernos Catholicam fidem publice colere eademq de causa predictum principem & ante eum alios, quos Apostolicæ Litteræ Clementis octavi commemorant bellum adversus illam suscepisse. His ita constitutis, facile prima questio expeditur.

Citra questionem namq est, posse quoscunque Catholicos dictoprincipi in dicto bello favere, idque magno cum merito, & spe maxima retributionis eternæ; cum enim predictus Princeps bellumgerat authoritate summi pontificis ob tuendam religionem Catholicam ad idque cum Pontifex per suas litteras adhortetur, & omnes Christi fideles, ut ex ejus litteris constat: at que principi in eo bello faventes multis gratüs prosequatur, ac si bellum contra Turcas gererent, nemo jure dubitaverit, & susceptum bellum justum esse, & magni esse meriti pro Catholica religione, quæ omnium maximum bonum est, tuenda pugnare.

NUMBER II.

EXTRACT

FROM

O'SULLIVAN BEARE's HISTORIÆ CATHOLICÆ IBERNIÆ COMPENDIUM,

Printed at Lisbon 1621, with the Permission of the Inquision, the Bishop and the King (then the King of Spain.)

The Censure of the Doctors of the Universities of Salamanca and Valadolid concerning the present war of Ireland, and their declaration of the letters of our most holy Lord Pope Clement 8th on the same war.

THE most illustrious Prince Hugh O'Neal wages war with the Queen of England and the English, for the protection of the Catholic Religion, to wit, that it may be lawful for him and the Irish to profess the Catholic Religion freely, which liberty the Queen of England endeavours to take away by force and arms. Two things are now called into doubt about this war. One is, whether it be lawful for the Irish Catholics to assist the said Prince Hugh in that war, with arms and in all other manners? The other whether the said Catholics can fight against the Prince aforesaid, without *mortal sin*, and assist the English in that war with arms and in any other manner? especially as if they deny this kind of assistance to the English, they expose themselves to the manifest danger of their lives, or of losing their worldly goods. And moreover, as *it is permitted* by the supreme Pontiff, to the said Irish Catholics, that they may obey the aforesaid Queen of England, and acknowledge her as lawful Queen by paying tribute to her, it seems that they may perform that which is the duty of subjects, that is to say, to fight against Rebels to the Queen, who deny her due obedience, and seem to usurp the country subject to her Dominion. In order to give satisfaction on each question, it is to be received as certain, that the

Eſt etiam de ſecunda queſtione omnino certum, eos omnes Catholicos peccare mortaliter, qui Anglorum caſtra contra predictum principem ſequuntur, nec poſſe illos eternam ſalutem conſequi nec abullo ſacerdote a ſuis peccatis abſolvi, niſi prius reſcpiſcant ac caſtra Anglorum deſerant Idemque de illis cenſendum eſt qui armis & commeatibus in eo bello Anglis favent vel quid ſimile tribuunt, *preter ea tributa conſueta, quæ* EX SUMMI PONTIFICIS INDULGENTIA ET PERMISSIONE, *eis licet Reginæ Angliæ aut ejus exactoribus ſolvere.* Hœc aſſertio hac apertiſſima ratione confirmatur. Quomiam per litteras ſummi pontificis ſatis eſt compertum Angliæ Reginam, & ejus Duces bellum gerere injuſtum contra predictum Principem & eos qui illi favent. Cum enim pontifex dicat Anglos adverſus Catholicam religionem pugnare, coſque non minus ac Turcas oppugnari debere, eiſdemque gratiis eos oppugnantes proſequatur quibus contra Turcas proſequitur, quis dubitet bellum ab Anglis adverſus exercitum Catholicum omnino iniquum geri? At nemini licet inquo bello favere aut illi adeſſe ſub pæna eternæ damnationis: Peccant ergo graviſſime Catholici, qui in Caſtris hereticorum contra pridictum principem pugnant in bello aperte iniquo & injuſto, & omnes qui eidem bello favent armis aut commeatibus ant quacunque alia ratione, quæ per ſe belli progreſſum juvent, nec poſſint rationem inire indifferentis obſequii.

Nec eos quicquam juvat Apoſtolicas litteras ſurreptionis notare; ſurreptio enim intervenire non poteſt, ubi nulla narratur petitio eorum,

Roman Pontiff may by arms compell and coerce the deſerters of the faith, and thoſe who oppoſe the Catholic Religion, when another method is not afforded of reſiſting ſo great an evil. It is moreover to be laid down as certain, that the Queen of England doth oppugn the Catholic Religion, and doth not permit the Iriſh to exerciſe the Catholic Religion publicly, and that for that cauſe the aforeſaid Prince, and before him others, whom the apoſtolic letters of Clement 8th do commemorate, did undertake a war againſt her. Theſe things being thus ſettled, the firſt queſtion is eaſily diſpatched.

For it is unqueſtionable that all Catholics whatſoever may aſſiſt the ſaid Prince in the ſaid war, and that with great merit, and the greateſt hope of eternal reward; for as the aforeſaid Prince wages war by the authority of the ſupreme Pontiff, for maintaining the Catholic Religion, and the Pontiff by his letter exhorts him, and all thoſe who are faithful to Chriſt, to it, as by his letters appears: and as he confers many graces on thoſe who aſſiſt the Prince in that war, as if they were waging war againſt the Turks, no body can lawfully doubt, both that the war undertaken is juſt, and that it is of great merit to fight for the protection of the Catholic Religion, which is of all things the greateſt good.

It is alſo altogether certain on the ſecond queſtion, that all thoſe Catholics do ſin mortally, who follow the Engliſh armies againſt the aforeſaid Prince, nor can they obtain eternal ſalvation, nor by any Prieſt be abſolved from their ſins, unleſs they previouſly repent and deſert the armies of the Engliſh. And the ſame judgment is to be made of thoſe who aſſiſt the Engliſh in that war with arms and proviſions, or contribute any thing of that kind, *beyond thoſe accuſtomed tributes, which* BY AND THROUGH THE INDULGENCE AND PERMISSION OF THE SOVEREIGN PONTIFF, *it is lawful for them to pay to the Queen of England, or her Tax-gatherers.* This aſſertion is by this moſt manifeſt reaſon confirmed, for that by the letters of the ſupreme Pontiff it is ſufficiently plain, that the Queen of England, and her generals, do wage an unjuſt war againſt the aforeſaid Prince and thoſe who aſſiſt him. For when the Pope ſays that the Engliſh fight againſt the Catholic Religion, and that they ought to be *oppugned* no leſs than the Turks, and that he doth confer on thoſe who *oppugn* them, the ſame graces which he confers on thoſe who *oppugn* the Turks, who can doubt that the war by the Engliſh againſt the Catholic army is altogether unjuſtly waged? But for no man is it lawful to favour an iniquitous war, or to be preſent at it under pain of eternal damnation. Therefore the Catholics do ſin moſt grievouſly, who in the armies of the Heretics fight againſt the aforeſaid Prince, in that manifeſtly iniquitous and unjuſt war, and all thoſe who aſſiſt the ſaid war with arms or proviſions or by any other means, which by themſelves do aid the progreſs of the war, nor can be put under the head of an indifferent obedience.

Nor doth it at all help them to tax the apoſtolic letters with being ſurreptitious, for ſurreptition cannot intervene, where no petition

eorum, in quorum favorem expeditur. At ſummus pontifex aperte in illis docet ſe & anteceſſores ſuos ſponte exhortatos fuiſſe ad illum bellum gerendum Ibernos principes ac fideles omnes : & ad eos magis provocandos, magnis eos gratiis, ac indulgentiis donat. Qui ergo fieri poteſt ut ſurreptitiæ ſint litteræ, quæ ſolam exhortationem magnis gratiis erga aſſententientes cumulatam continent ? Nec poſſunt Catholici Anglis faventes rationibus in ſecunda queſtiona edductis ſe tueri, nullum enim peccatum mortale committendum eſt, etiam ſi vita, aut res familiaris amittenda eſt. Ea vero quæ bellum injuſtum per ſe promovent, ac juvant exercere, aperte peccatum eſt mortale *Permiſſum* eſt etiam Catholicis hereticœ Reginæ et genus obſequii preſtare quod Catholicam religionem non oppugnat. Nec fuit nec poteſt eſſe pontificis mens ea obſequia circa Reginam eis *permittere* quæ aperte cum fine et ſcopo ipſius pontificis de promovenda in Ibernia Catholica fide ac Religione pugnant Hanc autem ejus eſſe mentem & ſcopum littorœ ipſæ apertiſſime declarant. Ex quibus omnibus ſatis manifeſtum relinquitur illuſtriſſimum principem Hugonem Onellum & alios Catholicos Iberniæ bellum gerentes adverſus Reginam hereticam orthodoxam fidem oppugnantem nullo modo rebelles eſſe, neque *debitam* obedientiam negare, aut terras Reginæ *injuſte* uſurpare quin potius illos juſtiſſimo bello, ſe terramque ſuam ab iniqua & impia tyrannide vindicare ſacramque orthodoxam fidem (ut Chriſtianos & Catholicos decet) pro viribus tueri atque defendere. Quæ omnia & ſingula nos infra ſcripti, ut certiſſima ac veriſſima indicamus & approbamus. Datum Salmantiæ 2 Febr. A D. 1603.

Doctores Salmantices 8. Valleſoletani 6 Valliſoleti 8 Martii 1603. Pat. ſor. Jes. 4.

I am told by perſons eminent for their accurate ſkill in the Latin Tongue, that *impugno* is of ſtronger import, than *oppugno:* We find here that to *wage war* againſt the Turks, and to *oppugn* the Turks is the ſame. (and I ſuppoſe thoſe who were exhorted by his holineſs to *make war againſt the Turks* never thought of *oppugning* them in any other manner) And the Engliſh Heretics are to be no leſs oppugned than the Turks. This ſeems to juſtify the opinion that perſequar and impugnabo, extend to ſomething more than words.

is set forth of those in whose favour they are issued. But the supreme Pontiff, in these openly teaches that he and his predecessors did, of their own accord, exhort the Irish Princes and all the faithful to wage that war, and the more to provoke them to it, conferred great graces and indulgences upon them. How therefore can it be, that the letters are surreptitious, which only contain an exhortation, crowned with great graces towards those who comply therewith, nor can the Catholics who favour the English defend themselves by the arguments adduced in the second question, for no mortal sin is to be committed, even if life or property is to be lost. But those things which in themselves do promote and aid the carrying on an unjust war, is manifestly a mortal sin. *It is permitted indeed to the Catholics* to yield that kind of obedience to the heretic Queen which doth not oppugn the Catholic Religion, neither was it nor could it be the meaning of the Pope *to permit* to them that obedience towards the Queen which plainly fights with the end and aim of the Pope himself, of promoting the Catholic Faith and Religion in Ireland; and this to be his mind and scope, the letters themselves do most openly declare. From all which things it remains sufficiently manifest, that the most illustrious Prince Hugh O'Neal, and the other Catholics of Ireland, waging war against the Heretic Queen oppugning the orthodox Faith, are in no manner Rebels, nor do deny the obedience *due*, nor do *unjustly* usurp the territories of the Queen, but rather, that they do by a most just war vindicate themselves and their country from an iniquitous and impious tyranny, and (as becometh Christians and Catholics) do protect and defend the holy orthodox faith to the utmost of their power. All and singular which things We the under written do declare and approve as most true and most certain. Given at Salamanca 2d February 1603, signed by eight Doctors of Salamanca, and at Valadolid 8th March 1603, by six Doctors of Valadolid, and by four Father Jesuits.

NUMBER III.

QUENDO Juramentum factum fuit in favorem, & utilitatem tertii, non potest commutari, nec dispensari, atiam per Papam, absque voluntate illius tertii, (d)sicut nec per Papam potest austerri jus aut res illius. Unde qui tertio promisit sub juramento pecunias, nupties &c. tenetur adimplere, nisi tertius ille obligationem relaxet: si vero ille cedat juri suo (e) cessat juramentum. Duo tanen sunt (f) Casus in quibus Juramentum factum in favorem tertii, potest commutari, & dispensari. Primo in pœnam illius tertì, cui juramentum factum est: sic relaxatur juramentur factum excommunicato in ejus pœnam, Cap. Nos sanctorum Cap. Juratos 15. 7. 6. Secundo quando Juramentums extortum fuit per Vom, metum, Fraudem aut injustitium: & ideo possunt dispensari juramenta facta latroni, & usurario de dandis pecuniia & usuris, & sic. de aliis.

(d) Sanc. c. 21 Soar. c. 41.

(e) Soar. c. 39.
(f) Sanc. c. 21. a. n. 6. Soar. c. 41.

314 Advertat autem Parochus noster non posse se dispensare commutare nec etiam irritarere juramenta plebis suæ, absque Privilegio posse vero absolve a peccatis factis contra juramenta, nisi Episcopo reservata sunt, at in aliquibus diœcesibus reservatun jur amentum falsum in judicio. In quo omnes convenient.

FINIS.

NUMBER III.

Extract from the *Speculum Parocherum* or Parish Priest's Looking-glass written by Doctor Sebastian D'Abreu, principal professor of Divinity in, and Chancellor of the Academy or University of Evara in Portugal: preceded by sixteen approbations and priviledges from examiners, provincials, censors of the inquisition, the senate of the inquisition, the vicar general of the diocese and apostolic ordinary, royal censors, and royal senate, at different times from 1659 to 1681. Lib. 8. ff. 7. De Juramenti Relaxatione, No. 313. p. 401.

WHEN an oath hath been made in favour and for the benefit of a third person, it cannot be commuted or dispensed with, even by the Pope without the consent of that third person, (*d*) in like manner as not by the Pope can be taken away his right or goods. Whence he who to a third person, promises under an oath, money, marriage, &c. is bound to fulfil, unless that third person releases the obligation; but if he yields up his right (*e*) the oath releases.—Yet there are two (*f*) cases in which an oath made in favour of a third person, may be commuted and dispensed with. First in punishment of that third person, to whom the oath is made: so is released an oath made to an excommunicated person, in punishment of him. Cap. Nos sanctorum. Cap. Juratos 15. 9. 6. Secondly when the oath hath been extorted by force, fear, fraud or injustice. And therefore may be dispensed with, oaths made to a robber and an usurer, for giving money and usury; and so of other things.

314. But our parish Priest must take notice that he cannot dispense with, commute or even make void the oaths of his common people without a priviledge; but he can absolve from the sins committed against oaths, unless they are reserved to the Bishop, as in some Dioceses is reserved a false oath in a court of justice. In which all agree.

N. B Conformably to this, those who had perjured themselves in a court, were directed in a publication not many years ago, by Father O'L—— to apply to the Bishop for absolution.

(*d*) Sanc. c. 21. Soar. c. 41.——(*e*) Soar. c. 39.——(*f*) Sanc. c. 21. a. n. 6. Soar. c. 41.

FINIS.